

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, December 1, 2005 @8:30 p.m.

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Joseph Iannaconi, Chief Financial Officer
Bernard Hart, Public Safety Director
Ray Levy, Director of Economic Development

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW
Police Department Crossing Guards

Contracts: Do Chung and Partners
Schoor DePalma, Inc.

Litigation: HVAC for Police Facility - Steve Muhlstock,
Esq., in Attendance
Settlement of Various Tax Appeals
Skeleton Building

New Jersey Interoperability Communications System

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

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

GENERAL DISCUSSION

Council on Affordable Housing (COAH) Rules Round Three and Redevelopment Area 3

Mr. Levy reported that there are two COAH requirements. One is to move the Centuria project obligation of affordable housing to Main Street where forty-five affordable housing units will be built. There is already a memorandum of understanding with Pennrose. Also every municipality in the state has to have their fair share plan for round three in by December 20th. There are new COAH regulations. There has to be affordable housing in place for every new development.

Mr. Levy has requested that the following ordinance be introduced tonight. It will be referred to the Planning Board and they will take action on the ordinance before the Mayor and Council can legally adopt the ordinance on December 15th.

Mr. Levy added that two other resolutions regarding the Borough's responsibilities with regard to COAH for round two and round three will be placed on the December 15th regular meeting agenda. There is significant legal exposure if all these items are not in place in a timely manner.

INTRODUCTION OF ORDINANCES

Ordinance #2005-43 - To Adopt a Redevelopment Plan for Redevelopment Area 3

On motion by Councilman Cervieri, seconded by Councilman

Sargenti, and carried, Ord. #2005-43 entitled, "TO ADOPT A REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 3, BLOCK 3606, LOTS 8,9,10,11,12,13,14,15,16 AND 17, BLOCK 4606, LOTS 1,2,3,21 AND 22; AND TO AMENDING THE ZONING MAP TO DELINEATE REDEVELOPMENT AREA 3" 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 15, 2005**

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

Ordinance #2005-44 - Authorizing a Tax Agreement for a Portion of Redevelopment Area 1, Block 6101, Lots 13-15 and 20

Mr. Cervieri recused himself on this matter.

On motion by Councilman Villano, seconded by Councilman Sargenti, and carried, Ord. #2005-44 entitled, "AN ORDINANCE TO AUTHORIZE A TAX AGREEMENT FOR A PORTION OF REDEVELOPMENT AREA 1, BLOCK 6101, LOTS 13,14,15 AND 20" 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 15, 2005**.

AYES: Council Members Pohan, Sokolich, Villano, Sargenti, Kasofsky

ABSENT: Councilman Cervieri

Mr. Levy added that this ordinance enables the municipality to state the terms of tax abatement. Care One under the terms of the abatement cannot file a tax appeal until the terms of the abatement are completed.

RESOLUTION

R-1 - Authorizing Settlement of Litigation Entitled Borough of Fort Lee vs. Schier Associates, et al, With Regard to HVAC Problems at the New Police Facility - Borough to Receive \$295,000

Mr. Grant explained that Steve Muhlstock, attorney for the Borough on this particular litigation, has requested that action be taken tonight to settle the litigation with regard to the HVAC

problems at the new police facility.

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

WHEREAS, the Borough of Fort Lee has been involved in a lawsuit emanating from the HVAC problems at the police facility, instituted in the Superior Court, Law Division, under Docket No. L 374-04; and

WHEREAS, settlement discussions have been ongoing with respect to finalization of this matter; and

WHEREAS, it has been recommended by the litigation attorney that the matter be settled at this time, and that such settlement is 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 litigation attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Borough of Fort Lee vs. Schier Associates, etc., et als., under Docket No. L 374-04, in the total sum of **\$295,000.**

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

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

GENERAL DISCUSSION CONTINUED

New Palisades Interstate Parkway (PIP) Ramp

Mr. Levy reported that the Port Authority's engineering group would like to come in to explain the timetable for the construction of the new PIP ramp. There are certain vacatings of streets that will need to be done.

Use of the New Community Center by the Fort Lee Board of Education

Mr. Levy stated that a schedule has been set for the new community center for January, February, and March of 2006. Every group did not get what they asked for. Included in the program are four open gym nights.

Mayor Alter asked that word be spread to let the public know about the schedule of events at the community center.

Mr. Levy added that there is a mixture of events for open nights. The Board of Education has requested the use of the new community center to re-register all of the children in the school system. Mr. Levy suggested that the Board of Education use the house that the Borough recently bought at 2029 Center Avenue.

The representatives of the Board of Education asked to look at the house to see if it fits their needs. Mr. Grant to get the key to the house to them for their review of the premise.

Mr. Levy concluded by saying that he will have a cost estimate for certain changes to the community center for the next Mayor and Council executive meeting.

Acoustical Panel Bids for the New Community Center

Mr. Pohan stated that Dean Marchetto, architect for the new community center, reviewed the bid and recommended that the bid be rejected.

Mr. Cohen added that the vendor was an unqualified bidder because he did not have the required New Jersey State business registration certificate at the time of the bid.

A resolution rejecting the bid and authorizing rebid for the project will be placed on the December 15th regular meeting proposed consent agenda.

ENGINEERING DISCUSSION

Derek McGrath, Boswell McClave Engineering representative, was present for this portion of the meeting.

Lewis F. Cole Middle School Field Bids

Ms. Thomas stated that she had a meeting earlier in the week with the school board.

Mr. Pohan noted that by revising the bid specification from 2.5 feet to a depth of sixteen inches that the cost of the project would lower. By having the job done in late spring rather than the winter more bids should be received. It is estimated that the bids should be around \$1,500,000 before contingencies. An extra shock pad which is no worse than a cushion without a shock pad is an extra expense and can be part of the alternate portion of the bid.

Mr. Villano spoke to having some portions of the field in

grass and field turf.

Ms. Thomas replied that the meshing of artificial turf and grass will lead to more injuries.

Mr. DeNichilo said several issues, including drainage, maintenance an maintenance of an irrigation system may cost more in the long run than just putting in the field turf.

Messrs. Sokolich, Sargenti and DeNichilo spoke to the shock pads and their g-max rating.

Mr. Sokolich would like the field to be entirely in field turf. He added that the design people did a good job.

It was agreed that the original bids received October 31st will be rejected and that the project will be rebid with the new bid specifications.

Spiezle Group, Inc. and Melick Tully and Associates, P.C. - Middle School Field

Ms. Thomas stated that the cost to engage Spiezle will be a fee not to exceed \$25,000 and the Borough also needs to hire Melick-Tully and Associates, P.C. to do percolation testing at the location at a fee not to exceed \$1,640.

Mayor Alter asked DeNichilo, one of the Board of Education's representatives at the meeting, how much has the Board of Education spent on this project since the original plan was developed.

Mr. DeNichilo responded that he is not sure how much the Board of Education has spent to this point.

It was agreed that resolutions hiring Spiezle and Melick-Tully will be placed on the December 15th regular meeting proposed consent agenda.

Retaining Wall Bids

Mr. McGrath stated that there were six bids received for this project and that Sparwick Contracting, Inc., the apparent lowest responsible bidder, is a good contractor, and that he recommends that the bid to be awarded to them.

Mr. Cohen confirmed that the bids have been reviewed by his office and that Sparwick is in compliance.

A resolution awarding the bid to Sparwick to make repairs to the DPW retaining wall at a cost of \$284,950.00 will be placed on the December 15th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Janitorial and Window Washing Bids for the New Community Center and Police Department

Ms. Thomas stated that Oriental Pacific Maintenance Co., Inc., was the apparent lowest responsible bidder for the three-year janitorial services contract, and that Control Building Services, Inc., is the apparent lowest responsible bidder for the three-year window washing contract.

Mr. Cohen confirmed that both vendors are compliant and that the bids should be awarded to them.

Resolutions awarding bids to Oriental Pacific at a total cost of \$297,360 and Control Building Services at a total cost of \$11,592 will be placed on the December 15th regular meeting proposed consent agenda.

Borough's Deferred Compensation Plan

A resolution amending the Borough's deferred compensation plan as required federally will be placed on the December 15th regular meeting proposed consent agenda.

Liquor License Transfer From 1616 Palisade Corp. to 1550 Lemoine Avenue Enterprise Corp.

A resolution approving person-to-person and place-to-place transfer of the above liquor license will be placed on the December 15th regular meeting consent agenda.

The applicant has been approved by the Police, Building and Fire Departments for transfer.

September 11th a Day of Contemplation and Reflection

The Mayor and Council agreed to take no action on this item.

National Incident Management System

Mr. Hart requested that the Mayor and Council approve a resolution adopting the National Incident Management System (NIMS). The NIMS establishes a single, comprehensive approach to domestic incident management. Approving a resolution will also give the Borough a chance to apply for certain grants down the road.

A resolution adopting NIMS will be placed on the December 15th regular meeting proposed consent agenda.

Fire Decontamination Trailer

Mayor Alter agreed to sign the fire decontamination trailer agreement with Bergen County after speaking to Fire Chief Corey Hart. The value of the trailer is so little that if anything did happen to the trailer the Borough would have very little liability.

Emergency Appropriation

Mr. Iannaconi stated that there is a \$150,000 shortfall in the legal expense line. This will be raised in next year's budget.

Mr. Cervieri asked about the \$64,000 appropriation received from the South Bergen Municipal Joint Insurance Fund.

Mr. Iannaconi replied that this will reduce appropriations for the Borough in 2006.

Tax Issues

There was no discussion on this item.

Amending Streetscape Ordinance to Include All Commercial Properties

Mr. Cervieri requested that the streetscape ordinance be amended to include all commercial properties including those that are in residential areas.

Mayor Alter thought it would give certain areas a checkerboard look.

Mr. Villano concurred with the Mayor that initially the look will start off as checkerboard but ultimately the streetscape will fill itself in.

An ordinance amending the streetscape ordinance will be placed on the January 12, 2006 regular meeting agenda for introduction.

Potential Public Safety Improvements

There was no discussion on this item.

Handicapped Parking Space by 1201 Briar Way

It was agreed by the Mayor and Council that Mr. Hart ask the traffic division to review their original approval for a handicapped parking space in front of 1201 Briar Way. After reading the police report it appears that the resident who is requesting the handicapped space has plenty of parking space in his driveway.

No Parking Between Myrtle Avenue and Washington Avenue on Hudson Terrace 7:00 a.m. to 10:00 a.m. Monday Through Friday

The Police Department has requested that an ordinance be established that will allow for a better flow of traffic entering onto the PIP southbound from Hudson Terrace.

An ordinance establishing no parking between Myrtle Avenue and Washington Avenue on Hudson Terrace southbound between 7:00 a.m. and 10:00 a.m. Monday through Friday will be placed on the January 12, 2006 regular meeting agenda for introduction.

Taxi Licenses

Mr. Grant explained that he has five applications for three available taxi licenses. One applicant has indicated that he will be withdrawing his application which will leave four applications for three licenses. Mr. Grant believes that the best way to issue the licenses would be to take the applications in the order in which they came.

The Mayor and Council concurred with Mr. Grant.

Mr. Cohen added that he and Mr. Grant will work on some other amendments to the taxi and limousine ordinance that will be presented to the Mayor and Council early next year.

Scheduling of 2006 Reorganization Meeting

It was agreed that the reorganization meeting of the Mayor and Council will be held on Tuesday, January 2, 2006 at 10:00 a.m.

Mr. Grant to send out the appropriate notice to all parties concerned in the middle of December.

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 15, 2005

- Ord. #2005-40--Amending Chapter 388, Section 69, Handicapped Parking Space by 3051 Edwin Avenue
- Ord. #2005-41--Ordinance Vacating Park Place (Paper Street Within Confines of Centuria Project)
- Ord. #2005-42--Amending Salary Ordinance #2002-14 for White Collar Employees - Establishing Title, Salary and Salary Range for Recreation Supervisor

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Deferred Compensation Plan .National Incident Management System	Ms. Thomas Mr. Hart

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 9:15 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, November 3, 2005 @ 8:21 p.m.

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, Sargenti, Kasofsky

ABSENT: Councilman Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW
Elevator Inspector

Wastewater Operator

Contracts: United Service Workers (USW)

Traffic/Borough of Edgewater

Port Authority Agreements With Borough

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

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

ENGINEERING DISCUSSION

Derek McGrath, Boswell McClave Engineering representative, was present for this portion of the meeting.

Resurfacing of Lewis F. Cole Middle School Field Bids

This item was discussed in closed session.

Submission of Application to the NJDEP for a Grant to Fund Certain Storm Water Activities

Mr. McGrath point out that the State has new laws with regard to the way storm water pollutants are handled.

Ms. Thomas stated that there is a \$20,619 grant available for the Borough from the NJDEP.

A resolution authorizing a grant application to the NJDEP for \$20,619 will be placed on the November 10th regular meeting proposed consent agenda.

Ordinance for Vacating Park Place

An ordinance vacating Park Place, which is a paper street within the confines of the Centuria property, will be introduced at next week's regular meeting.

Mr. Grant stated that the ordinance and the land description were prepared by Dennis Oury's law firm and Schoor DePalma respectively.

GENERAL DISCUSSION

Janitorial and Window Washing Service Bids

Ms. Thomas stated that Oriental Pacific appears to have submitted the lowest bid for janitorial services which includes cleaning of the police facility and the new community center. They have been cleaning the police facility for the last few years. Their total bid was for \$297,360 which covers three full years of service.

Mr. Pohan asked what Oriental Pacific has been getting paid for the cleaning of the Police Department.

Ms. Thomas replied they are receiving about \$50,000.

Ms. Thomas added that the bids have to go to Mr. Cohen's office for final review.

It was agreed that the Borough has been saving money by contracting this service out over the past number of years.

Ms. Thomas added that the window washing bids which cover the police department, community center and borough hall are also being looked at. She is checking to make sure that the two bids can be treated as separate items.

Handicapped Parking Space in Front of 3051 Edwin Avenue

Mr. Grant stated that the Police Department did a report requesting the placement of a handicapped parking space in front of 3051 Edwin Avenue.

Mr. Villano pointed out that one of the residents in the building is handicapped and having the use of a handicapped parking space in front of the building will be helpful to him.

An ordinance to create the handicapped parking space will be introduced at the November 10th regular meeting.

RESOLUTION

R-1 - Purchase of Vehicle for the Police Department

Mr. Grant asked the Mayor and Council to pass a resolution tonight with regard to the purchase of a vehicle for the Police Department.

Mr. Hart on questioning from Mr. Cohen explained that the full cost of the truck is going to be out of the Borough's confiscated funds account with Bergen County.

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

WHEREAS, the Borough of Fort Lee Police Department has requested the purchase of a 2006 Ford van equipped for surveillance and confidential investigations; and

WHEREAS, the Police Department requested a waiver of bid under the provisions of N.J.S.A. 40A:11-5(1)(g), for the purchase of special equipment for use in confidential and undercover investigations; and

WHEREAS, the Police Department's request for a bid waiver was approved by the Attorney General in a letter dated October 12, 2005 to John Molinelli, Bergen County Prosecutor; and

WHEREAS, the cost of the equipment is over the bid threshold amount of \$21,000 and the expenditure must be authorized by resolution of the governing body; and

WHEREAS, the Police Department received three quotes for the purchase of the aforementioned vehicle,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the Police Department to purchase the 2006 Ford van from Sirchie Fingerprint Laboratories, 612 Gravelly Hollow Road, P.O. Box 789, Medford, New Jersey 08055-0789 in the amount of **\$94,989.00**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds to be used for this purchase are being made available through forfeiture funds through the Bergen County Prosecutor's office.

The Resolution was **approved unanimously.**

Swiftreach Networks Community Notification Services

Mr. Hart stated that this is the reverse 9-1-1 system. Bergen County has this system and since this was discussed earlier in the year they have updated their capabilities. He believes that the Borough should avail itself of option two which requires the Borough to pay a monthly fee for contracting the service. The Borough would then control emergency and non-emergency messages it wants to send out. Under option one Bergen

County completely controls the system. The total cost is approximately \$7,500 a year depending on the options the Borough uses. There is also a \$0.35 fee per 30 second for each successfully connected call.

Mayor Alter asked how many phones does the Borough have.

Mr. Hart replied that Verizon has the Borough with 39,000 phones which includes fax lines. He added that a third-party subscriber shows the Borough with 16,000 listed numbers.

The Mayor and Council concurred that the Borough should go forward with this project.

A resolution awarding a contract to Swiftreach Networks Community Notification Systems should be placed on the November 10th regular meeting proposed consent agenda.

Donation of Fire Truck

Mr. Sokolich stated that Corey Parker, Fire Chief, is looking to donate an old fire truck to a community in Louisiana. The trade-in value of the truck is less than \$5,000.

Mr. Hart added that the fire truck is a 1980 Hahn Pumper and the area where the firefighters sit is rotted.

The Mayor and Council agreed that Mr. Parker could start making inquiries to donate the truck to a community in need, that was affected by Hurricane Katrina.

Community Center Items Including Lighting

Mr. Sokolich stated that some residents at the Fountainview Gardens have been complaining because the lights at the new community center, specifically by the stage area, are shining too brightly late at night.

It was agreed that the lights should be turned off no later than 10:00 p.m. unless there is an event going on at that time. Ms. Thomas will handle the complaint for the Borough.

Mr. Villano wanted clarification on the memorandum from Ike Mardekian, Bergen County Economic Development Corporation representative for the Borough, with regard to some additions, changes and/or repairs to the new community center, that the Mayor and Council briefly touched on last week.

Mr. Pohan stated that he spoke to Ray Levy, Director of Economic Development, who said no changes from the list that Mr. Villano is referring to have been authorized yet. Mr. Levy still has to meet with Dean Marchetto, architect of the building.

Items from the memo dated September 29, 2005 (available in the Office of the Borough Clerk) were discussed as follows:

#8 on first page - running track within brick paver areas - not to be done.

#6 on second page - purchase of scissor lift to service gymnasium light - not to be done; this item to be rented on an as needed basis.

#8 and #9 on second page -locking of certain areas and railings on the second floor - if it meets proper code why is the Borough going to make any changes.

#2 on second page - all light switches in gymnasium should be key type - the Mayor and Council concurred.

#1 on second page - twenty-nine exposed protrusions - once baskets are moved in then it would not have a negative effect. Protrusions still may need to be smoothed out.

#4 on second page - specifications of all windows, door glass, etc. to withstand pressure from activity - Ms. Thomas stated that these items are part of the close-out documents.

#5 on second page - screening for ceiling materials - Mr. Pohan stated that Mr. Levy should meet with Mr. Marchetto before any decision is made.

#7 on second page - provide method of locking receptionist's desk and disengaging elevator so that entry to upstairs room can be restricted when required - review to be done now that security has been installed.

#10 on second page - doorway or gate to prevent unauthorized entry to roof - Ms. Thomas stated that Messrs. Levy and Marchetto will review.

#1 and #2 on first page - cleaning out of manhole covers in brick paver areas and repairing and painting of certain dents - Mr. Mardekian has taken care of.

#4 on first page - ordering of additional garbage cans - this item has been addressed.

#7 on first page - flagpole etiquette - Ms. Thomas has taken care of.

#9 on first page - a gate should be provided at the opening between the curtain wall and the World Savings Bank building on Inwood Terrace - Ms. Thomas stated that a plain gate is to be used for now. It was agreed that the Borough would not provide for surveillance in that area.

#6 on first page - providing indirect lighting to illuminate lettering on canopy for main entrance - Ms. Thomas to look into lighting issues.

Taxi and Limousine Ordinance

Mr. Pohan stated that he received a call from Kathy Dawson, Owner of A-1 Taxi & Airport Service Inc., who was complaining about the new ordinance the Borough passed last week.

Mr. Grant explained that he spoke to Ms. Dawson this morning and told her to write a letter to the Mayor and Council explaining specific problems that she has with the new ordinance.

Messrs. Cohen and Grant added that other amendments are still needed including how new licenses will be issued if there are more applications than licenses.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Vehicle for the Police Department	

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

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 27, 2005 @ 7:40 p.m.

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Promotions
DPW
Elevator Inspector
Wastewater Operator

Redevelopment Area 4 Requests for Proposals - Ray Levy,
Director of Economic Development, in Attendance

Tax Appeal Settlements

Funding Mechanism for Main Street Design Improvement
Project

Contracts: United Service Workers (USW)
Dresdner Robin
Appraisal Firm of Stack, Coolahan & Stack,
LLC

Property Acquisition: 2029 Center Avenue

Potential Litigation: New Community Center

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

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

ENGINEERING DISCUSSION

Peter Anderson, Boswell McClave Engineering representative, was present for this portion of the meeting.

Spiezle Group Proposal for Architectural Services for Lewis F. Cole Middle School Field

Mr. Anderson said that the Borough is going to need the Spiezle Group for continuity with the resurfacing of the Lewis F. Cole Middle School Field. Spiezle was the original architect the Board of Education engaged when the project was initiated by them.

Mayor Alter asked what is the timetable for completion of the project.

Mr. Anderson replied that bids will be received on October 31st and then there will be a meeting with the Board of Education on November 1st to discuss the bids. The completion date is expected to be March 31, 2006 and there will be a contingency placed in the contract for bad weather days that could delay the project.

Mr. Cervieri asked how much the additional costs are going to be for the Borough.

Ms. Thomas replied that the Board of Education is not sharing in any costs. The costs to engage Spiezle will be a fee not to exceed \$25,000 and the Borough also needs to hire Melick-Tully and Associates, P.C. to do percolation testing at the location at a fee not to exceed \$1,640.

Mr. Sargenti spoke to surety bonds in case the lowest qualified bidder does not do the job properly.

Resolutions awarding contracts to the aforementioned groups will be placed on the November 10th regular meeting proposed consent.

Cumbermeade Road

Mr. Anderson said that the Belgian block curb being placed on Cumbermeade Road is very nice.

Ms. Thomas asked the Mayor and Council whether the Borough should continue using Belgian block when redoing the sidewalks. She added that Tony Lione, DPW Director, has expressed concern when streets are being plowed.

Mr. Cervieri replied that he has never seen sidewalks plowed curb to curb. He indicated a number of other streets have Belgian block sidewalks.

Mr. Sokolich stated that the cost differential is not much.

Mayor Alter said that as long as the Borough does not make Belgian block mandatory, he has no problem with it.

It was agreed to continue with the Belgian block.

Mr. Anderson added that the tree expert that was hired to preserve the trees along Cumbermeade Road has exhausted his \$3,000 allowance. He is look for an additional \$2,000 fee.

There were no objections in extending the tree expert's contract by \$2,000.

Amending Streetscape Ordinance to Include All Commercial Properties

Mr. Cervieri stated that the present streetscape ordinance

includes all commercial districts, but does not include commercial properties in residential zones. He would like to see the streetscape ordinance amended to include his recommendation.

It was agreed that this item would be placed back on the December 1, 2005 executive session agenda for further discussion.

Curb Design for Residential Areas

See Cumbermeade Road discussion listed above.

GENERAL DISCUSSION

Community Center Rules & Regulations

It was agreed that a resolution authorizing rules and regulations for the use of the new community center would be placed on tonight's regular meeting proposed consent agenda.

Approval of Change Order for APS Contractors, Inc.

A resolution approving change order #6 for APS Contractors, Inc., for \$77,678.42 for various items as listed on the change order will be placed on tonight's regular meeting proposed consent agenda.

Command Vehicle for Public Safety Departments

Ms. Thomas stated that there are confiscated funds available for the above item.

Mr. Hart stated that there are two grants for the project along with the confiscated funds.

Mr. Cervieri asked how much is coming out of the confiscated funds account.

Mr. Hart replied between \$210,000 to \$230,000.

Grant Notification on 9-1-1 System

Mr. Hart stated that there is a software package available for remapping of the Borough's 9-1-1 system. Part of the grant is also to get two other software licenses for new recording equipment for the Communications Department.

Mayor Alter mentioned that the radio communications project will run about \$4,000,000.

Mr. Hart stated that he should be receiving the bid specification for the entire project from Alex Calderon, President of Concepts to Operations, next Monday.

Richard A. Nest Senior Citizens Center Renovation

Ms. Thomas stated that the Borough has received \$200,000 in CDBG grants from Bergen County to replace the kitchen facility at the senior center.

This item was bid on twice with no bidders so the Borough can now legally negotiate a contract. The contractor with whom the Borough is negotiating has raised his initial quote from \$185,000 to \$225,000 because he has to pay prevailing wage rates if he is awarded a contract by the Borough.

Purchase of Police Department Computers and Equipment

A resolution authorizing the upgrading and replacing of computer equipment for the Police Department will be placed on tonight's regular meeting proposed consent agenda.

The purchase of various equipment will be made through a New Jersey State contract with Hewlett Packard at a total cost of \$77,920.

Progress Report on Traffic Posts

This item was discussed in closed session.

Advertising for Bids for Various Items for the DPW: Salt Spreader Shed, Pickup Truck, (4X4 Diesel) and Two Mason Dump Trucks

A resolution authorizing the Purchasing Consultant to prepare specifications and advertising for bids for the above listed items will be placed on tonight's regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 27, 2005

Ord. #2005-36--Creating a Limited Tax Exemption for Redevelopment Area 1, Block 6101, Lots 13,14,15 and 20

Ord. #2005-37-Amending Chapter 388, Section 57,
Schedule XII, Addition of Bus Stop Along Anderson
Avenue Southbound, Beginning at the Northerly Curb
Line of Sixteenth Street

Ord. #2005-38-Amending Chapter 372, Articles I and II
- Taxicab and Limousine Ordinance **(Motion to Amend)**

Mr. Grant noted that there are numerous minor amendments as reviewed by the Borough Attorney that need to be approved before the public hearing is opened.

Ord. #2005-39--Amending Chapter 388, Section 53,
Schedule IX: Stop Intersection on Edgewood Lane
Northbound on the South Side of Columbia Avenue

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 Councilwoman Kasofsky** at 7:51 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 6, 2005 @ 8:25 p.m.

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, Kasofsky, Cervieri

ABSENT: Councilman Sargenti (Open Portion Only)

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW
Municipal Court

Redevelopment Area 4 Requests for Proposals - Ray Levy,
Director of Economic Development, to Attend

Potential Litigation: Use of New Community Center

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

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

GENERAL DISCUSSION

**Decking of Parking Lots - Steve Monetti, Parking Authority
Executive Director, in Attendance**

Mr. Monetti presented handouts and diagrams prepared by Tim Haahs, architect, that show and describe different options the Borough could use to deck parking lots at the Police Department that would create more parking for the new community center.

The handouts and diagrams are available in the Borough Clerk's Office as part of the permanent meeting minutes.

Mayor Alter asked if any apartment windows are going to be blocked if the parking lot or lots are decked.

Mr. Monetti replied that only one floor of parking is being added. The ramp to the space would be at the back of the building. Under option one, forty-six spaces would be added with a supported deck.

Mr. Monetti added that if the sidewalk on Edsall Boulevard is shortened, then ten to twelve additional spaces could be added with angled parking spots.

Mr. Cervieri stated that with the eighty-five to ninety spaces that are needed at the Police Department, he would recommend going with option two, that would add 113 spaces to the site. The new community center would then have exclusive parking spaces for its use.

Messrs. Sokolich and Alter concurred that the elevations at the Carriage House have to be looked into to make sure no views are being obstructed.

Mayor Alter asked Bernard Hart, Director of Public Safety, whether if the street across from the Police Department were closed off the police could operate with the parking that is there now. If the answer is no, then how short of spaces is the lot.

Mr. Hart stated that with all of the police officers on duty, including the police fleet that is being used daily, there is enough parking at the site except for the day shift, which has more officers and civilians workings daily.

Mr. Monetti stated that the decking would be done on the south side of the police station, which is the smallest part of the building. No decking would be added to the north side.

Mayor Alter would like to deck the parking lot across from the Police Department. He is concerned about tilting the tax rate too high if both parking decks were added.

Messrs. Pohan and Sokolich concurred with the Mayor that both lots should not be decked. The lot across from the Police Department is the more desirable site to be built up.

Ms. Thomas and Mayor Alter both asked that a cost estimate for restructuring the parking lot across the street from the Police Department be done.

Mr. Hart stated that if the parking lot across the street from the Police Department is decked, it would not impact on the community center during the evening. There is less of a demand at night for the parking spaces.

Ms. Thomas added that the Borough needs copies of the deeds to the property that it may build on.

Parking Lot Opposite In Napoli Restaurant (Added on Item)

Mr. Monetti suggested that the Borough build a parking lot similar to the parking lot built by the Borough at 1450 Palisade Avenue. This would be a two-tier lot that would hold about seventy vehicles. This would help the restaurants down on lower Main Street while the Centuria project is being built.

Mayor Alter stated that the restaurants are looking to the Borough for help. He asked how much would a surface lot cost to build.

Mr. Monetti replied that the parking lot would be built in-house at a cost of approximately \$160,000. The lot would be on

grade and would be bi-level. It would be a pay and display parking lot.

Mayor Alter concurred that doing it in-house is the way to go. He asked if anyone has discussed this issue with the restaurants.

Mr. Monetti stated that he has spoken to both JD's and the In Napoli restaurants. Both businesses combined want over 300 parking spaces. Both businesses are never completely satisfied with their parking.

Pay and Display Lots (Added on Item)

Mr. Monetti mentioned about having a validation system for residents parking for events held at the new community center.

Mr. Cervieri spoke to the possibility of having a wireless validation system put in place.

Ms. Thomas stated that if the Borough did not have restricted parking the businesses would take up the spots.

Mayor Alter replied that peripheral parking spots are okay for the pay and display; however, the northern lot should just be parking for the community center only. All others who use the spots illegally should be booted and/or towed.

Mr. Monetti concurred with the Mayor.

RESOLUTIONS

Mr. Grant requested that action be taken tonight on the following two grant applications.

R-1 - Endorsing Bergen County Community Development Block Grant Program Application for \$100,000 for Various Road Improvements

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

WHEREAS, a Bergen County Community Development grant of **\$100,000** has been proposed by the Borough of Fort Lee for Road Improvements 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

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**.

R-2 - Authorizing Acceptance of \$100,000 (50-50 Match) Through the Bergen County Open Space Trust Fund for Inwood Terrace Park

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

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 **\$100,000** in 2005 Open Space Trust Funds for Inwood Terrace 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.

The Resolution was **approved unanimously**.

GENERAL DISCUSSION CONTINUED

Reading of Poems of August Kleinzahler

Mr. Pohan stated that the Office of Cultural and Heritage Affairs is asking for August Kleinzahler, former Fort Lee resident now residing in San Francisco, to be named as the Borough's poet laureate. Mr. Kleinzahler's mother still lives on Bluff Road in the Borough.

Mr. Pohan added that his poems are legitimate. He has published a number of books, and he was the international winner of the 2004 Griffin Poetry Prize. He was also proclaimed the unofficial poet laureate of Fort Lee by the New York Times this year.

Mr. Pohan read two of Mr. Kleinzahler's poems that discuss growing up in Fort Lee and by the George Washington Bridge. He also read a portion of his memoirs.

The Mayor and Council concluded that Mr. Kleinzahler should be named the Borough's poet laureate.

A presentation will be made to Mr. Kleinzahler recognizing him as the Borough's poet laureate at the October 27th regular meeting.

Tom Meyers, Director of Cultural and Heritage Affairs, confirmed that if Mr. Kleinzahler was named the Borough's poet laureate he would attend the October 27th meeting.

Office of Emergency Management Refrigerator Magnets

Mayor Alter stated that the Borough is going forward with the refrigerator magnets which have information on them that will guide people in case of an emergency.

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 Kasofsky**, at 9:17 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 29, 2005

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department
Finance Department

Potential Litigation: Use of New Community Center

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

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

ENGINEERING DISCUSSION

Bernie Mirandi, Boswell McClave Engineering representative, was present for this portion of the meeting.

Middle School Field Update

Mr. Mirandi stated that the focus is on having a bid advertisement ready by October 7th, with the actual bids being received three weeks thereafter. Minor suggestions on the plans have come back from Tom Snyder, architect for the Spiezle Group. The Spiezle Group has been cooperating. Anyone who is interested should be able to bid on the project with the new bids specification for this project almost in place. Mr. Mirandi also believes that additional soil borings should be taken.

Mr. Sokolich stated that this project involves two entities. There will be some disruption of school activities while the project is being commenced.

Mr. Cohen stated that no work will be able to be started until a resolution awarding the bid is approved and a proper contract is signed with the Borough.

Mr. Villano spoke to the flooding on eleventh street.

Ms. Thomas stated that the cleaning of the longswamp has helped out the residents in that area. All of the flooding problems have not be solved, but there has definitely been an improvement.

Montana Construction - Emergency Repairs to Bluff Road

Mr. Cervieri asked where the emergency repairs were being made on Bluff Road.

Ms. Thomas said that the Borough's investigation showed that a large sewer pipe collapsed on a portion of Bluff Road. The Borough has put money away through its sanitary and stormwater combined sewer phase I account. If the Borough does not receive permission from the State to make the repairs through that

account, then the money will come out of the emergency sewer repairs account.

Streetscape - Phase IIA Bids

Ms. Thomas stated that the Borough has a \$250,000 grant for this project. Bagnato & Sons, Inc., is the lowest responsible bidder.

The Mayor and Council concurred that the Borough should move forward with this ongoing project.

Mr. Grant to prepare a resolution for tonight's regular meeting awarding the bid to Bagnato & Sons at a cost of \$415,909.38 for the streetscape phase IIA project.

GENERAL DISCUSSION

Fort Lee High School Academy of Finance

Mr. Sokolich explained that this program was started a year ago. Through the schools, the kids are given a firsthand job experience by interning in various types of businesses. Mr. Sokolich is on the committee that evaluates the kids. He is hopeful that the Borough has a spot available for this year's program.

Ms. Thomas and Mr. Sokolich to speak to Joseph Iannaconi CFO, to see if he has a spot open in his department for the placement of an intern.

Main Street Design Criteria

Ray Levy, Director of Economic Development, was present for this portion of the meeting.

Mr. Sokolich asked for some feedback regarding last week's special meeting.

Mayor Alter replied that he thought it was a very good meeting. The architect and his staff are going to have to come up with a proposed budget for the plan. Ms. Thomas should talk to the architect.

Mr. Villano added that some type of bid should be done for the entire project. The cost needs to be known as some owners

are ready to move forward.

Mayor Alter replied that if the project is seven figures he is not sure the Borough would be ready to move forward.

Mr. Cervieri stated that the architect will not reveal the actual cost. Competitive bidding is needed. He would not recommend Borough employees being involved in any structural changes that may be done to any business owner's property. He believes a tax phase-in on improvements should be done.

Mr. Pohan stated that if the owners do it themselves the union prevailing wage rate would not be necessary.

Mr. Sokolich added that the Borough should make it compulsory.

Mr. Levy stated that he has asked legal counsel for an opinion. He has started a dialogue with Paul Phillips, Borough Planner, about a planning perspective. He is in the process of contacting different county and state agencies with regard to financing mechanisms. ISTEPA is a possibility and he is also going to be speaking to different local banks.

Mayor Alter agreed that the Borough has to find out about its financial options.

Mr. Pohan stated that having specific design criteria in place would be helpful to the Planning Board.

A brief conversation ensued regarding the property located at 222 Main Street.

Mayor Alter recused himself regarding the 222 Main Street property.

Mr. Levy concurred with Mr. Pohan that the Borough has no lever other than having specific design criteria in place.

Approving Grant Application for Enhanced 9-1-1 Program

Ms. Thomas stated that the Borough is preparing a grant application to the State of New Jersey in order to improve its 9-1-1 program by acquiring G.I.S. mapping software.

A resolution endorsing the grant application will be placed on tonight's regular meeting proposed consent agenda.

Rejecting Bids and Authorizing Rebid for Theatrical Equipment for the New Community Center

It was agreed that the bid received for the theatrical equipment for the new community center was higher than anticipated and budgeted for.

A resolution rejecting the bid and authorizing a rebid for the theatrical equipment will be placed on tonight's regular meeting proposed consent agenda.

Acoustical Panels for the New Community Center

Ms. Thomas stated that the bid specifications for the acoustical panels for the new community center have to be clarified and that bids are being held off for an additional week until the clarification is addressed by the borough attorney.

Fire Decontamination Agreement - East Bergen Mutual Aid Group

Ms. Thomas stated that the Borough would be the host community for the East Bergen Mutual Aid Group in which the Borough would house fire decontamination equipment in its DPW yard.

A resolution authorizing the Borough to enter into an agreement with Bergen County to be the host community for the aforementioned equipment will be placed on tonight's regular meeting proposed agenda.

Purchase of Three Police Vehicles

A resolution authorizing the purchase of three Dodge Durangos from Warnock Dodge Inc., East Hanover, New Jersey for the Police Department through State Contract at a cost of \$59,940 for all three contracts will be placed on tonight's regular meeting proposed consent agenda.

Amending Taxicab and Limousine Ordinance

An ordinance amending the Borough's taxi and limousine ordinance will be introduced at tonight's regular meeting.

Mr. Cervieri suggested that the ordinance include a minimum number of taxis that must be on call so as to afford the residents a better chance of getting a taxicab when one is needed.

Mr. Cohen replied that he would like to see the ordinance adopted as it is written and then an amending ordinance could be done to include Mr. Cervieri's suggestion.

Approving Developers Agreement for V&R Developers at 2022-2034 Central Road

A resolution approving a developers agreement for V&R Developers for the above property will be placed on tonight's regular meeting proposed consent agenda.

Mr. Sokolich stated that he will have to abstain from this matter and that he will ask for the item to come off the consent agenda for separate vote.

Reading of Poems of August Kleinzahler

This item will be placed back on the October 6th executive session meeting agenda.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 29, 2005

- Ord. #2005-33--Amending Chapter 388, Section 57, Schedule XII, Addition & Deletion of Bus Stop Along Palisade Avenue by Riverdale Drive
- Ord. #2005-34--Amending Salary Ordinance #2002-15 Establishing Salaries and Wages for Blue Collar Employees - Establishing Title of Senior Park Maintenance Worker
- Ord. #2005-35--Amending Chapter 388, Section 62, Schedule XVI-A - No Right-hand Turn on Red Light on Riverdale Drive Eastbound to Palisade Avenue Southbound

PUBLIC PARTICIPATION

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

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the meeting moved back into closed session at 7:28 p.m. to discuss the following items with no objections:

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

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

Personnel: Staffing for New Community Center

Redevelopment Area 4 Requests for Proposals - Ray Levy,
Director of Economic Development, in Attendance

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

There being no further discussion the meeting moved back into open session and **on motion by Councilman Sargenti, seconded by Councilman Villano**, the meeting was adjourned at 7:51 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 8, 2005

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department
Police Promotion
Recreation Department Seasonal Employees

Redevelopment Area 1 Limited Tax Exemption - Ray Levy,
Director of Economic Development, in Attendance

Tax Board Judgements Vacating Assessment Reductions
Tax Appeal

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

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

ENGINEERING DISCUSSION

Peter Anderson, Boswell McClave Engineering representative, was present for this portion of the meeting.

Streetscape Phase IIA Bids

There was no discussion on this item.

Middle School Field

Ms. Thomas stated that Boswell has submitted two separate engineering proposals for restroom facilities and for the placement of a synthetic type surface at the Lewis F. Cole Middle School athletic field.

Messrs. Alter and Cervieri stated that the bid specifications have to be redone because the Board of Education's original proposed design plans had to be changed.

Ms. Thomas noted that Spiezle, the architect group that drew up the original design plans for the Fort Lee Board of Education, will be incorporating Boswell's recommendation into their amended plans. The bidding documents should be done by the end of September or early October.

Resolutions awarding contracts for Boswell McClave to do the aforementioned work at a cost not to exceed \$19,300 for the restroom facilities and \$175,377 for the resurfacing of the athletic school field as outlined in their September 7th proposals will be placed on the September 29th regular meeting proposed consent agenda.

Change Order #2 for Van Fleet Park Clubhouse

Mr. Anderson explained that the original as-built prices for the construction of the Van Fleet Park Clubhouse were higher than realized. This in turn produced a negative change order with regard to the project.

A resolution approving change order #2 for Security Structures, Inc., for a negative (-32,316.08) will be placed on tonight's regular meeting proposed consent agenda.

GENERAL DISCUSSION

Theatrical and Acoustical Equipment for the New Community Center

Ms. Thomas stated that the theatrical equipment bid is scheduled to be opened on September 12th. The acoustical specifications that are coming from Mr. Cohen's office to the Borough's Purchasing Consultant should be ready to go out to bid in the next week or so.

Ms. Thomas added that the grand opening for the new community center will be Saturday, October 29th after the Borough's rag-a-muffin parade concludes. She said that the classrooms in the new community center will be utilized in November whether or not all of the theatrical and acoustical equipment has been installed.

RESOLUTION

R-A - Salute to the State of Texas for Their Offering of Refuge to Victims of Hurricane Katrina

Mayor Alter explained that he would like the following resolution passed at this meeting. He will be asking Mr. Grant to read the resolution and some other materials concerning relief efforts from Hurricane Katrina at the regular meeting tonight.

Councilman Sokolich introduced, and Councilman Villano seconded, the following Resolution:

WHEREAS, a catastrophe came about for the people of New Orleans; and

WHEREAS, the people housed in the New Orleans evacuee Superdome were in desperate need of help; and

WHEREAS, the State of Texas and especially the City of Houston offered to the City of New Orleans and surrounding areas refuge during the Katrina Emergency; and

WHEREAS, the people of Texas immediately gave all they had to give, including a haven at Houston Astrodome; and

WHEREAS, the Governments in Texas moved immediately with efficiency,

NOW, THEREFORE, BE IT RESOLVED that the Government of the Borough of Fort Lee, New Jersey, on behalf of the people of the Borough of Fort Lee, New Jersey, salute the people of Texas and thank them for making us all proud to be Americans.

The Resolution was approved **unanimously**.

Poet Laureate

Mr. Pohan stated that he has not read August Kleinzahler's poems.

Mr. Cervieri believes that asking Mr. Kleinzahler to become the Borough's poet laureate is not a great idea. Mr. Kleinzahler's family is in San Francisco, and Mr. Kleinzahler is a person who is against the establishment.

Tom Meyers, Director of Cultural and Heritage Affairs, disagreed with Mr. Cervieri. He stated that the New York Times has declared him as Fort Lee's poet laureate. Borders Books has him coming in. He is pugnacious, but he is a great booster of the town. Mr. Meyers noted that Mr. Kleinzahler would not come to a Mayor and Council meeting unless he was invited.

It was agreed that at the next meeting Mr. Kleinzahler's poems will be read. Messrs Villano and Sargenti have agreed to read some of his poems.

Main Street Design Criteria

It was agreed that a special meeting of the Mayor and Council will be held on Thursday, September 22nd, at 6:00 p.m. in the Council Chambers regarding potential facade improvements to the store fronts in the Main Street area.

Mr. Grant will put out the required legal notice.

Mr. Grant and Barbara Klein, Planning and Zoning Board secretary, will work together to get out notices to the merchants who potentially could be affected by this program.

Fuel CAP Cost Relief

A resolution requesting Acting Governor Richard E. Codey to ask the Local Finance Board in Trenton to grant a one-year exception for all municipalities with regard to CAP limitations on the municipal budget for unanticipated gasoline costs will be placed on tonight's regular meeting proposed consent agenda.

Mr. Sargenti asked if the Borough could get some electric-type hybrid cars to use from the Board of Public Utilities.

Mayor Alter said he does not believe it can be done; however, he asked Ms. Thomas to start looking into the use of hybrid vehicles for use by the Borough, except for the Police Department.

Ms. Thomas to check into the Mayor's request.

Arts & Music Festival (Added on Item)

Ms. Thomas stated that the Borough will be holding its annual arts and music festival on June 4, 2006.

Hurricane Katrina Relief Fund and Survey

Mayor Alter said that he has some materials from the New Jersey League of Municipalities that he will speak to at the regular meeting regarding what people can do to help the victims of Hurricane Katrina other than just making donations.

Ms. Thomas stated that she has a request from Jillian Raimondo, Human Services Director, to help out the victims of Hurricane Katrina. Ms. Raimondo will be dealing with FEMA directly.

There were no objections to her request.

Mr. Villano said he would like to see the Borough do something. He was frustrated that the Borough has been a bit slow in doing its part.

Ms. Thomas stated that the Borough has an emergency services committee.

Mr. Sokolich spoke about the crisis response team.

Mayor Alter spoke to a survey form that he received about the evacuees.

Ms. Thomas stated that the survey speaks to homes being needed for the evacuees. The Borough can respond to the survey, but she believes calling Lillian Ciufu, Housing Authority Director, would be a good idea.

Mr. Sokolich stated that he would be proud if the Borough could lend some help in some small way.

Mr. Pohan asked if FEMA does not have a structure, what can the Borough do.

Inwood Terrace Park Improvements

Mr. Sokolich mentioned that Inwood Terrace Park is a problem because of the setup of the roads, street and park. He suggested the placement of a split rail fence no higher than 3.5 feet. An aesthetically pleasing fence with openings every few feet would be ideal.

Mr. Grant to prepare a resolution for the September 29th regular meeting of the Mayor and Council applying for an open space grant of \$100,000 for improvements to Inwood Terrace Park.

Lemoine Avenue Cleanliness

Mr. Sokolich spoke to a complaint letter that was sent to the Mayor and Council regarding the lack of cleanliness on Main Street and Lemoine Avenue. He mentioned that maybe the Main Street design criteria could also be done on the west side of Lemoine Avenue.

Mayor Alter replied that he also responded to the complaint; however, the cleanliness of Lemoine Avenue is a separate issue from the design issue.

Ms. Thomas stated that it is an enforcement issue, and she will notify Steve Wielkocz, Health Inspector, as to the problems that are occurring on Lemoine Avenue as well as the Main Street area.

Placement of Bus Stop on Anderson Avenue Near Side of 16th Street Before New Community Center

Mr. Grant explained that a new bus stop will be placed on the near side of Sixteenth Street and Anderson Avenue. This will replace the old bus stop that was on the corner of Anderson Avenue and Inwood Terrace.

Mr. Grant added that he can not do anything until he hears back from New Jersey Transit.

Bus Stop Relocation From Far Side Riverdale Drive to Near Side Riverdale Drive on Palisade Avenue

An ordinance relocating the southbound bus stop far side of Palisade Avenue and Riverdale Drive will be moved to the near side of Riverdale Drive and Palisade Avenue across from the Plaza Cooperative.

No Right Turn on Red at Riverdale Drive

An ordinance prohibiting right hand turns on red at Riverdale Drive eastbound heading southbound onto Palisade Avenue will be introduced at tonight's regular meeting proposed consent agenda.

Mr. Grant stated that this is in conjunction with the relocation of the aforementioned bus stop.

Mayor Alter concurred that there have been a lot of accidents in this area and that anything that moves traffic along more slowly is a good idea.

Approving Limousine License for ASAP Limousine Company

A resolution approving a limousine owner's license for Gideon Terer d/b/a ASAP Limousine Company at 1223 Anderson Avenue will be placed on tonight's regular meeting proposed consent agenda.

Amending Taxi/Limousine Ordinance

There was no discussion on this item tonight.

Endorsing Bergen County Community Development Grant Applications for the Housing Authority

Resolutions endorsing Bergen County Community Development grant applications for the Housing Authority will be placed on tonight's meeting proposed consent agenda.

Fire Inspection Dinner

A resolution authorizing payment to The Princess Chateau for the Fire Inspection dinner on September 24th will be placed on tonight's regular meeting proposed consent agenda.

The cost of the dinner is a minimum of \$25,500, based on a 300 person minimum at \$85.00 per person.

Purchase of Scott Air Paks for the Fire Department

Ms. Thomas stated that there will be a resolution on tonight's regular meeting proposed consent agenda authorizing the Fire Department through a Homeland Security contract to purchase Scott Air Pak Kits, Face Masks and Carbon Cylinders from AAA Emergency Supply Co., Inc., at a cost of \$95,046.30.

Advertising for Bids for a Fire Hose for the Fire Department

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for a new fire hose for the Fire Department will be placed on tonight's regular meeting proposed consent agenda.

Approving Developers Agreement for Amerada Hess

A resolution approving a developers agreement for Amerada Hess, 2295 Route 4 East, will be placed on tonight's regular meeting proposed consent agenda.

Callahan's 55th Anniversary Celebration

Mayor Alter recused himself on this matter.

Ms. Thomas stated that Callahan's will be celebrating their 55th anniversary on September 20th.

Mr. Grant to prepare a proclamation from the governing body honoring their 55th anniversary.

Planning Board

Mayor Alter noted that Fred Heller, Planning Board member, handed in his resignation in the last couple of days.

Mayor Alter stated that he was glad that Mr. Heller was on the Planning Board, particularly with regard to the hearing of the Town & County Developer's application.

Business Licensing

Mayor Alter spoke to the Borough of Paramus' ordinance with regard to business licensing fees. He would like to see the Borough do this and then any money received could potentially be dedicated to the improvements of Main Street. Paramus Mayor James Tedesco told Mayor Alter that the only objector they had when the ordinance was being considered was from the owner of Norstrom.

This item to be brought back for further discussion at a future executive session.

Brinkerhoff Avenue Handicap Curbs

Mr. Sokolich stated that there is one disabled resident who is restricted from using Brinkerhoff Avenue because there are no curb cuts.

Ms. Thomas replied that the Borough is going to take care of the problem for the resident.

Street Renaming Reisman/Peppard

Mayor Alter brought up the renaming of certain streets. He mentioned that he has had a long-time request from Mr. Reisman of Horizon House, who lost his son on 9/11.

The Mayor and Council concurred that if Horizon House wants to rename a street in their complex after the late son of Mr. Reisman that Mr. Reisman should make his request to the Horizon House Board of Directors.

Mayor Alter noted that Horizon House has already dedicated a small memorial in memory of Mr. Reisman's son inside the complex.

Messr. Pohan and Cervieri concurred that if a street is going to be named after someone, that person should have contributed to the Borough; however, they both have compassion for Mr. Reisman and his family on the loss of their son.

Mayor Alter would like to rename one of Fort Lee's streets in honor of William Peppard and the Peppard family.

Mr. Cervieri said that he has been in touch with Lynsay Peppard who was agreeable to having a secondary naming like the Borough has done before.

Mayor Alter stated that with all of the dual street names the Borough has, the Peppard family should not be given a secondary naming on a street.

Messrs. Cervieri and Alter disagreed with each other.

Mayor Alter left at this point in the meeting at 7:48 p.m.

Council President Pohan chaired the remainder of the meeting.

Mr. Cervieri stated that a complete renaming of a street would cost money to the people who live on a particular street. He would prefer just to have the secondary sign be placed above the street sign on Church Lane.

The governing body concurred with Mr. Cervieri.

Mr. Cervieri stated that two signs should be presented, one to the Peppard family at the dedication, and the one to be placed on Church Lane.

Ms. Thomas to handle the arrangements for the secondary street naming and dedication.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 8, 2005

- Ord. #2005-29--Amending Chapter 388, Section 69, Handicapped Parking Space by 1625 Ponsi Street
- Ord. #2005-30--Rescinding Ordinance #2005-17 - Vehicle Movement on Private Property Open to the Public in the Whiteman Mall
- Ord. #2005-31--Amending Salary Ordinance #'s 2002-14 and 2002-36 - Establishing Salaries and Wages for White Collar Employees and Non-Union Employees
- Ord. #2005-32--Amending Salary Ordinance #2002-15 Establishing Salaries and Wages for Blue Collar Employees

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 Councilman Cervieri, seconded by Councilman
Sargenti, at 7:50 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, August 18, 2005 @ 2:00 p.m.

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, Kasofsky, Cervieri

ABSENT: Councilman Sargenti (Open Portion of Meeting)

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Specials
Police Department

DPW
Municipal Court

Contracts: Lawless & Mangione
Macdel Engineering, P.C. - Ray Levy,
Director of Economic Development, in
Attendance
Dresdner Robin
Schoor DePalma
Time Warner Cable - Scott Sproviero, Esq.,
in Attendance

Potential Litigation: Whiteman Park Plaza LLC
Redevelopment Area 4
Office of Emergency Management

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

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

GENERAL DISCUSSION

Sukkoth - Rabbi Warmflash, Fort Lee Jewish Center, in Attendance

Mayor Alter recused himself on this issue and left the meeting room during this discussion.

Rabbi Warmflash stated that he would like to place a small, prefabricated Sukkah by the triangle on Main Street throughout the holiday of Sukkoth in October. This is the area where the menorah and creche are placed during the holiday season. This would be sharing a tradition with the entire community. A little sign would be placed in the area. There would be no other maintenance needed with the pre-fabricated booth. The Sukkah is 6' x 8' and 7' tall. No maintenance and no electrical hookups are needed.

Mr. Villano asked about placing it in front of the Temple.

Rabbi Warmflash replied there is already a Sukkah that is used in the Temple.

Ms. Kasokfsy asked about other groups expressing their religious freedoms.

Rabbi Warmflash replied that he has no problem with other groups using the triangle to express their religious customs and freedoms.

Mr. Pohan stated that there are implications for other groups if the Borough grants the Rabbi's request. The Borough has to be consistent in how it extends open and fair treatment for others. It would be a nice thing to do, but the Borough has to be very careful in its decision making.

Mr. Cohen stated that there are two constitutional issues. The display of the Sukkah solely advances religion, and by creating a public space for the display, the Borough could not control content if other groups wanted to use the space to express their religious beliefs. He cited two extreme examples of what the triangle area could turn into.

Mr. Pohan asked how the menorah and creche that are put up during the holiday season affect this decision. The Borough Attorney has to give the governing body an opinion because of potential litigation.

Rabbi Warmflash stated that if exposure is a problem for the Borough, he understands the Borough's position. He mentioned that he would ask other groups in the Borough about joining in with him regarding a harvest festival.

Mr. Cervieri spoke to the annual Ch'usok celebration held every year in Overpeck Park, in Leonia, by The Korean-American Association of New Jersey.

Mr. Cohen mentioned that if the Borough held the event as a secular function there might be less chance of potential litigation occurring.

Mr. Sokolich stated that the sentiment is to accommodate the request, but the Borough has other things to consider.

Redevelopment Area 2 - Ray Levy, Director of Economic Development, in Attendance

Mr. Levy explained that Redevelopment Area 2 includes the Tollgate Motel and the property across the street. A group has bought the Kwasha/Lipton building and they would like to build residential units at the location. Mr. Levy believes that the Kwasha/Lipton property should be included in Redevelopment Area 2.

Mr. Levy added that a resolution needs to be authorized by the Mayor and Council to include the Kwasha/Lipton building as

part of Redevelopment Area 2, which then needs to be sent to the Planning Board for their recommendation.

A resolution will be placed on tonight's regular meeting proposed consent agenda to facilitate what Mr. Levy has explained.

Main Street Design Criteria

Mr. Cervieri stated that he was expecting to receive a proposal from Do Chung's office.

Mr. Levy stated that a proposal for construction from Do Chung indicated that to do the facade work would cost \$1,700,000.

Mayor Alter stated that the Borough should have a separate meeting with the Main Street commercial store owners just to get a feel for what they would or would not be interested in doing with regard to improvements to the facades of buildings on Main Street.

Mr. Sokolich stated that the Borough has to formalize its plans before it can offer options to the store owners.

Mr. Cervieri concurred that the Borough should have a dialog with the commercial property owners.

The Mayor and Council concurred that a special meeting should be held Thursday, September 15th or September 22nd at 6:00 p.m.

Mr. Grant to formalize the arrangements for the special meeting.

Mayor Alter spoke to the funding mechanism that Paramus is using in charging business owners annual fees.

Mr. Iannaconi said that a dedicated fund can be set up for the project, but permission is needed from the Division of Local Government Services in Trenton.

Speed Humps

A resolution awarding a contract to Schoor DePalma for engineering services for the placement of speed humps in the Linwood Apartment complex at a cost of \$5,000 will be placed on tonight's regular meeting proposed consent agenda.

ENGINEERING DISCUSSION

Bernard Mirandi, Boswell McClave Engineering representative, was present for this portion of the meeting.

Improvements to Inwood Terrace Park

Ms. Thomas stated that the Borough will be receiving a \$100,000 Open Space grant for improvements to Inwood Terrace Park. She added that Councilman Sargenti feels it should be a passive park.

Ms. Thomas and Messrs. Sargenti and Sokolich to meet to discuss the use of Inwood Terrace Park.

Local Aid from DOT (Added on Item)

Mr. Mirandi noted that the Borough has received \$405,000 in State grants for the repairs to Cumbermeade Road. The total project cost is \$784,264.

Pedestrian Signals (Added on Item)

Mr. Mirandi stated that the Borough has received an extension to place timing devices on certain pedestrian signals.

Ms. Thomas added that the design work is finished. Hopefully, the devices will be put in before the end of the extension granted by the State.

DPW Retaining Wall - Discussion of Bids

Mr. Cohen stated that the low bidder is noncompliant. The second bid was approximately \$334,000, which was \$80,000 higher than the low bidder.

Mr. Pohan noted that the low bidder is technically okay now.

It was agreed that a resolution rejecting the bids and authorizing rebid would be placed on the September 8th regular meeting proposed consent agenda.

Valley Street

Mr. Cervieri, at the request of Mike Maresca from the DPW,

will look into certain properties on Valley Street to see if they have the potential to connect into the Borough's new DPW yard.

GENERAL DISCUSSION CONTINUED

Relocation of Fire Hydrant on Fletcher Avenue

A resolution approving the relocation of a fire hydrant on Fletcher Avenue will be placed on tonight's regular meeting proposed consent agenda.

Mr. Grant noted that James Carney, Fire Sub-Code Official, reviewed and approved the request from United Water with regard to the relocation of the fire hydrant.

Approving Developers Agreement for G&J Realty, LLC for Property Located at 1402-1420 Bergen Boulevard

A resolution approving a developers agreement for the above property as prepared by the Borough Attorney will be placed on the regular meeting proposed consent agenda.

Rebid for Lease of Constitution Park Food Stand

A resolution authorizing rebids for the above item will be placed on tonight's regular meeting proposed consent agenda.

It was noted that no bids were received for this project the first time it went out to bid.

Authorizing Advertising of Bids for Cleaning and Window Washing Services for Various Borough Facilities

A resolution authorizing advertising for bids for the above items will be placed on tonight's regular meeting proposed consent agenda.

Poet Laureate

Mr. Pohan stated that he just received a packet of information regarding this subject from Tom Meyers earlier today. He would like to review the materials before making any decision.

This item will be discussed in further detail at the September 8th work session.

BCIA Telecommunications Audit

Mayor Alter stated that BCIA has designated a firm to do a telecommunications audit. The company receives a percentage of any money it saves the Borough related to the telecommunications area. He would like to see the Borough join in the program.

Mr. Cervieri noted it was a six year service contract.

Equitable Funding for Bergen County School Districts

Mr. Grant stated that he spoke to Nancy Stern, Fort Lee Board of Education President, earlier in the week. The Fort Lee Board of Education will be passing a resolution at their next regular meeting requesting legislators to ensure more equitable funding for the Bergen County school districts.

Mr. Grant noted that he has already received a number of resolutions in support of what the Fort Lee Board of Education will be passing next week.

Resolutions endorsing the Fort Lee Board of Education's position will be placed on tonight's regular meeting proposed consent agenda.

Amending Taxi & Limousine Ordinance

Mr. Pohan stated that he offered Mr. Cohen comments a while back to Mr. Cohen's original draft for amending the Borough's taxi and limousine ordinance.

Mr. Grant asked that for at least the time being the ordinance be amended to include more licenses for taxi and limousine service, more vehicles for limousine companies and a higher annual licensing fee. Other portions of the ordinance could be amended at a later time.

Amendment to the Borough's Deferred Compensation Plan

A resolution authorizing a change to the Borough's deferred compensation plan as required by the Economic Growth and Tax Relief Reconciliation Act of 2001 will be placed on tonight's regular meeting proposed consent agenda.

Callahan's 55th Anniversary September 15th

Mayor Alter and Councilman Sokolich recused themselves on

this matter.

Ms. Thomas stated that Tony Clores, Chamber of Commerce Board Executive, wanted to know if the Borough wanted to be involved with Callahan's 55th anniversary celebration on September 15th.

The governing body decided as a whole not to get involved.

Mr. Villano noted that he would not have any objection to celebrating Callahan's 55th anniversary.

Handicap Parking Space in Front of 1625 Ponsi Street

An ordinance creating a handicap parking space in front of 1625 Ponsi Street will be placed for introduction at tonight's regular meeting.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 18, 2005

Ord. #2005-11--Capital Ordinance to Include a \$215,000 Grant From the New Jersey Department of the Treasury for the Construction of the New Community Center
Note: Readoption of Ordinance Which Was Originally Adopted by the Governing Body on May 26, 2005

Mr. Grant stated that this ordinance has to be readopted because it was advertised incorrectly after it was originally adopted.

Ord. #2005-25--To Adopt a Redevelopment Plan For Redevelopment Area D-4 **(Motion to Table)**

Ord. #2005-27--Bond Ordinance for Domestic Preparedness Grant for Firefighter Equipment - \$121,800 (Federal Grant 90%)-(Borough's Share 10% - \$12,180)

Ord. #2005-28--Abolishing the Salaried Position of Deputy Emergency Management Coordinator

PUBLIC PARTICIPATION

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

There being no further discussion the meeting reconvened into closed session **on motion by Councilman Cervieri, seconded by**

Councilman Villano.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Villano, the meeting moved back into closed session at 4:05 p.m. to discuss the following item with no objections:

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

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

Potential Litigation - DPW Retaining Wall Bid

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

There being no further discussion the meeting moved back into open session and **on motion by Councilman Cervieri, seconded by Councilman Villano**, the meeting was adjourned at 4:08 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, July 21, 2005 @ 2:25 p.m.

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, Kasofsky, Cervieri

ABSENT: Councilman Sargenti

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Building Department

Police Department
Parking Enforcement Officers
Clean Community Employees
Salary Reviews

Contracts: Schoor DePalma
Do H. Chung & Partners

Tax Appeals Reinstatement of Certain Tax Assessments
- Steve Muhlstock, Tax Appeal Attorney, in Attendance

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

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

GENERAL DISCUSSION

Deputy Emergency Management Coordinator

Bernard Hart, Director of Public Safety, Stephen Ferraro, Police Captain and Emergency Management Coordinator, were present for this portion of the meeting.

Mayor Alter stated that at the request of the shop steward this item is going to be heard first.

He mentioned that Joseph Licata and the shop steward are present today as observers, not participants.

Mayor Alter stated that Mr. Hart will be giving a report. Mr. Hart was asked to examine positions of other emergency management offices in other municipalities and to check out their manpower and workloads.

Mr. Hart spoke to the following reports and survey that he compiled with regard to today's report he will be issuing.

Mr. Hart spoke to the weekly activity reports he received from the Deputy Emergency Management Coordinator. In addition he spoke to a survey of other municipalities regarding the number of employees staffed in Emergency Management. Approximately twenty-five coordinators are full time police officers and there are forty-four civilian coordinators. There are six full time deputy coordinators including Fort Lee. With regard to other staffing twelve towns have full time paid employees other than the Emergency Management Coordinator and Deputy Coordinator. One

town has one part-time employee. He spoke to the Police Department's computer aided dispatch records that showed there were eleven calls in 6.5 months that the Office of Emergency Management was contacted or responded to.

He concluded by saying that he does not feel a paid Deputy Emergency Management Coordinator is needed.

Mayor Alter asked how long Mr. Ferraro has been in the Emergency Management Coordinator's position and how much time does Mr. Ferraro put into the position on a daily basis.

Mr. Ferraro replied that he was appointed Emergency Management Coordinator in May of this year, and he spends approximately two hours a day in his position as Emergency Management Coordinator.

Mayor Alter asked if there were not a paid deputy's position would that change.

Mr. Ferraro replied it would not. He added that with the full time staff that is in place, his time putting in as Emergency Management Director would not increase without a paid Deputy OEM Coordinator.

Mr. Pohan asked who gives the two secretaries/clerks in the department their day to day instructions.

Mr. Ferraro mentioned that because of the location of the Emergency Management Office, he communicates to the staff through e-mails and cell phone. Mr. Ferraro is located at the Police Department on 16th Street and the Emergency Management Office is located on Guntzer Street next to Borough Hall.

Mr. Cervieri asked about the nature of calls that emergency management receives.

Mr. Ferraro mentioned the fire at the Plaza in the spring. Hazardous material spills on Palisades Avenue, Columbia Avenue and Anderson Avenue were mentioned. A tractor trailer overturned on Route 95 required the assistance of the Fire Department and the Office of Emergency Management. He also mentioned a bomb threat that was received at the Louis F. Cole Middle School.

Mr. Cervieri asked who usually responds to a bomb threat.

Mr. Ferraro replied the Police and Fire Department.

Mayor Alter noted that when there is a bomb threat on the GWB, New York City usually takes over because of their vast emergency management resources.

Mr. Sokolich asked Mr. Ferraro if the emergency management office seems to be more reactive than preventive.

Mr. Ferraro replied the office is more responsive than preventive. Emergency Management is a support network for the Borough's other emergency services.

Mr. Cohen stated that there are eight or nine unpaid deputy emergency management coordinators.

Mr. Cohen stated that the report of Mr. Hart including any surveys and time sheets should be turned in for the record as exhibits.

Mr. Hart's report and survey are available in the Office of the Borough Clerk as part of the permanent meeting minutes.

Mayor Alter stated that he would take any comments from the public regarding this matter only.

PUBLIC PARTICIPATION

Rabbi Meir Berger, New Synagogue of Fort Lee, spoke to the overall development of Fort Lee. He believes that the clock has to be adjusted, not fixed, and that more people and more volunteers are needed. He spoke to what Mr. Licata has done for the Borough. He closed by saying people should be compassionate towards others.

Joseph Licata gave the history of OEM and what he has collected in fees. He mentioned that there were more response calls he had before Bernard Hart took over. He spoke to towns taking away the police influence with regard to OEM offices, because police have to decide what hat they must wear when an emergent situation arises. He believes there is a big injustice to residents in keeping them safe with how the OEM is being presently handled. He closed by saying the OEM is slowly being destroyed.

ENGINEERING DISCUSSION

Peter Anderson, Boswell McClave Engineering representative, was present for this portion of the meeting.

Awarding Bid for Construction of the DPW Retaining Wall

Mr. Anderson stated that he is asking Mr. Cohen to take a look at the qualifications of the low bidder. The two bidders prices came in at \$251,770 and \$333,928.

Ms. Thomas mentioned that this is an elaborate project.

Mr. Cohen to review the bids and this item will be brought back for further discussion and action at the August 18th executive session.

Authorizing Bids for Streetscaping IIA

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the streetscape IIA project from Borough Hall to Linwood Avenue will be placed on tonight's regular meeting proposed consent agenda.

Middle School Field

Mr. Anderson said that after reviewing the drainage plans of the original architect for a new synthetic turf playing surface at the middle school field, he believe that negative conditions at the longswamp would be exacerbated. He is asking the architect to revisit and to reconsider their plans.

Mr. Anderson stated that the rainwater goes into a holding basin and then into a storm center into Stillwell Avenue to 11th Street and then to the longswamp. He hopes to have the flow of water channeled directly into the swamp by moving a permeable membrane and disconnecting the outfall from the drainage pipe.

Mayor Alter asked if the quality of the field will change. Puddling on the field is not an option. There is a hiatus right now. In another eight to twelve weeks this project should be going forward. He is looking for a drainage system that will not fail.

Mr. Sokolich concurred that any puddling on the field defeats the purpose of what is supposed to be done to the field.

Mr. Anderson added that engineers are looking at the rainfall and the below basin holding tank.

Mayor Alter stated that he does not want to lose another year on this project. The Board of Education owns the field and they are letting the Borough handle the project for them.

Ms. Thomas noted that Boswell did raise concerns initially with the original architect's plans.

Mr. Villano said that Boswell is going to have to convince the original engineer that their design was flawed. He also spoke to the longswamp area being dredged, which has been discussed many times before.

Ms. Thomas to call the Fort Lee Board of Education to set up a meeting with all parties concerned.

Combined Sewer (CSO) Project

Mr. Anderson stated that the annual study and inspection will be done at the end of the month. It is required as part of the permitting procedure from the DEP. The Borough of Edgewater is looking to opt out of the netting chamber agreement because they have separated their sewers.

Ms. Thomas explained how the outflow reaches the Hudson River via the Colony and through the Deadbrook Swamp.

Ms. Thomas stated that the Borough spends about \$24,000 a year for the netting chambers. The cost is shared with the Borough of Edgewater. Mr. Cervieri spoke to a breakout fee for the Borough of Edgewater.

Mr. Cohen stated that he has a conflict in this matter and that he will ask Steve Muhlstock, Tax Appeal Attorney and former Borough Attorney, to handle this matter on the Borough's behalf.

Timing of Traffic Lights for Pedestrian Crosswalks

Mr. Anderson asked that a resolution be passed tonight extending a \$50,000 grant that has been given to the Borough by the New Jersey State Department of Transportation (DOT), for real time traffic lights at pedestrian crosswalks.

A resolution requesting an extension from the DOT will be placed on tonight's regular meeting proposed consent agenda.

Inwood Terrace Park

Mr. Grant stated that he is speaking on Councilman Sargenti's behalf. Mr. Sargenti would like to see the fencing taken down at the Inwood Terrace Park and make the field all grass. This would make it a passive park.

Mayor Alter stated that Cheryl Westeyn, Recreation Director, would have to be contacted about Mr. Sargenti's idea. Mr. Grant to inform Ms. Westeyn of the proposed idea, but the governing body asked that this item be placed back at the August 18th executive session.

Cumbermeade Road

Mr. Anderson spoke to the different grants that the Borough has been authorized by the State to use for improvements to Cumbermeade Road.

Ms. Thomas stated that the Borough had allocated nearly \$8,000,000 for sewer repairs through a low-interest loan program from the State. She would like to take \$260,000 to \$300,000 from that fund and use it for sewer repairs instead of separating the sewers.

Boswell Engineering will send a letter on the Borough's behalf to the State to see if the State will reallocate the funds.

GENERAL DISCUSSION CONTINUED

Amendment and Adoption of 2005 Municipal Budget

Mr. Iannaconi stated that the Borough received \$350,000 in extraordinary aid. With the inclusion of sewer fees from Cliffside Park and other revenue received since the Borough introduced the budget in March, there are a total of over \$900,000 in increased receipts.

Messrs. Alter and Pohan spoke to about a 3.5% increase in expenses. They both concurred that with all the fixed costs the Borough is obligated to pay for salary increases and health insurances and other expenses, the 3.5% increase in expenses is a good number.

Mr Iannaconi said that the municipal tax rate will be increased by 6.9% and that the tax levy is 6.5%

Mr. Pohan spoke to the double hit the Borough had this year. The Borough did not collect last year's assessments and this year's assessments were reduced because of the revaluation. The Borough will not have that kind of double hit next year, which should prove favorable for the 2006 budget.

Mr. Cervieri spoke to the large sum of money the Borough used to receive from the State for density aid relief.

A resolution amending the 2005 municipal budget followed by the adoption of the budget will be placed on tonight's meeting agenda.

New Community Center

Mayor Alter stated that the new community center building is awesome. A couple of issues have come up including the turning on and then turning off of the fountain.

Ms. Thomas noted that residents have been using the fountain as a wading pool.

Ms. Thomas mentioned the fountain at a meeting she had with the South Bergen Municipal Joint Insurance Fund last night. Lodi has the same type of fountain as Fort Lee. There is only so much the Borough can do to protect the citizens from using the fountain improperly.

Mr. Villano spoke to having flowers and benches around the fountain so as to buffer it from people trying to use it improperly.

Mr. Cohen stated that a no bathing sign should be placed by the fountain.

Mr. Cervieri mentioned that the fountain will not be running twenty-four hours a day.

Ms. Thomas said that she does not want to put a decorative fence around the fountain.

Mayor Alter said that a camera should be hooked up to the police desk so that they can constantly monitor the fountain.

Ms. Thomas replied that once the fiber optics come in there will be a camera placed in the Police Department.

Mayor Alter stated that he does not want to wait until the end of October to open up the building. He asked about a certificate of occupancy. He mentioned that a non-performing generator is holding up the certificate of occupancy.

Ms. Thomas stated that the Borough can get a temporary certification of occupancy.

Mayor Alter said that he would like to have a grand opening around Labor Day with simple refreshments. He said it is time to show the residents what their tax dollars went for.

Mr. Villano indicated that there is lighting that has to be installed, which will not be in place by Labor Day.

Mr. Pohan mentioned that the floor has to be redone on the basketball courts.

Ms. Thomas stated that the floor is going to be redone, which will open up a track around the perimeter. Theater equipment and acoustical equipment need to be put in place. She noted that the floor cannot be redone until the heavy equipment is put in place.

Mr. Pohan said that he hopes to be able to award bids for the aforementioned items by the August 18th meeting.

Mayor Alter stated that he wants to book vendors for antique shows and flower exhibits for 2006 and the time to do it is now.

Ms. Thomas replied that she believes that the type of shows the Mayor is looking for will be able to happen by the spring of 2006.

Ms. Thomas asked for clarification regarding the grand opening.

Mayor Alter reiterated that he wants a grand opening for the building in September. Whatever areas need to be roped off can be.

Messrs. Villano and Pohan both mentioned that with the potential Labor Day opening, the building will have to be closed after the opening so that the lighting and acoustics can be installed and the floor redone.

A grand opening will be held around Labor Day, and the originally called for more formal grand opening in late October will not occur.

Fort Lee Film Commission/Fairleigh Dickinson University (FDU) Theater

Mr. Pohan mentioned that because Tom Meyers has had some problems with the Palisades Interstate Parkway, he is looking to do a film series at FDU. FDU has a large archival collection. This is a good opportunity for the Borough to branch out; however Mr. Meyers has been told that movie programs are expected to be held at both FDU and the Fort Lee Historical Park auditorium.

Mr. Pohan added that more of the Hollywood type movies would be shown at the historical park auditorium.

Mr. Villano asked how does Mr. Meyers' affiliation with the Fort Lee Film Commission relate to his job as the Director of Cultural and Heritage Affairs for the Borough.

Mr. Pohan replied that Mr. Meyers is staffed to the Film Commission. Both the Film Commission and Cultural Affairs have line items in the budget. Mr. Meyers raises funds from private sources to run some of the programs.

S-1023/A-1835 - Exemption of Disabled Veterans From Payment of Property Taxes

A resolution supporting State reimbursement of municipalities for the exemption of disabled veterans from payment of property taxes will be placed on tonight's regular meeting proposed consent agenda.

Accepting Livable Communities Grant for a New Boiler for the Fort Lee Public Library

A resolution accepting a \$35,000 grant from the State of New Jersey for a new boiler for the library will be placed on tonight's regular meeting proposed consent agenda.

ADA Improvements to Plaza Diner

Mayor Alter said that the attorney for the Plaza Diner has asked that a public right-of-way be used on Lemoine Avenue in order for the diner to build a ramp that would be used for disabled or handicapped individuals.

Mr. Cervieri said that this should go back to the diner. The Plaza Diner's architect, Mr. Blake, should have done a better job with the plans that were sent to the Mayor and Council.

Mr. Cohen concurred that it could set a bad precedent if their request is granted.

The governing body feels that any potential ramp for handicap access should be on the parking lot side of the diner so as not to disturb the aesthetics of the Borough's streetscape plan that was implemented.

Mayor Alter asked Mr. Grant to convey to Sam Cereste, Esq., attorney for the Plaza Diner, the Mayor and Council's intentions.

Department of Transportation (DOT) Welcome Sign Program

Mayor Alter informed the governing body of a NJ State DOT program that would give municipalities money to place welcome signs throughout the borders of the Borough.

Main Street Design Criteria

Messrs. Villano and Sokolich have met with Do Chung, architect, with regard to developing a cohesive look for Main Street. Mayor and Council approval is needed to keep the project moving. It is not a great deal of money. There has to be some division between the stores so that they would look unique.

Architectural drawings by Mr. Chung were shown to the Mayor and Council showing some of the possibilities of what the establishment on Main Street could look like in the future.

Mayor Alter asked how does the Borough get the store owners to comply with the project's requirements.

Mr. Villano replied that the Borough will have to meet with the owners of the buildings.

Mr. Sokolich added that the goal for this project is to be as cost efficient as possible. A lot of folks are going to have to cooperate and participate to make it work.

Mayor Alter asked if the Greater Fort Lee Chamber of Commerce has been involved with the project.

Mr. Cervieri said that he spoke to Frank Patti, Chamber President for 2005, and he said that they are excited about the project.

Mr. Villano hopes funding will not cost more than \$500,000. Ms. Thomas is working on getting grant money. The goal is to have the retail establishments participate in the program by using their money.

Mr. Pohan suggested a dollar for dollar match could be realized.

Mayor Alter stated that the Borough cannot abate anyone's taxes. If someone wants to make an improvement, an abatement can be given on the improved assessment only.

Mr. Cervieri in conversation with Paul Phillips, Borough Planner, asked him to make a specific recommendation as to the type, size and color of signs that should be used for the commercial establishments.

The Mayor and Council concurred that indirectly lighted signs would be ideal.

Mr. Villano is hopeful that there would be one bidder only when the project moves forward.

Messr. Villano and Sokolich both concurred that Mr. Chung has been very pragmatic throughout their discussions about the project. They are both pleased with the work that he is doing.

PUBLIC HEARINGS SCHEDULED FOR JULY 21, 2005

Ord. #2005-21--Bond Ordinance for Various Capital Improvements - \$1,746,750

Ord. #2005-22--Amending Chapter 388, Section 51, Schedule VII, One-Way Streets at Edsall Boulevard Westbound From Inwood Terrace to 16th Street

Ord. #2005-23--Amending Chapter 388, Section 53, Schedule IX, Stop Intersections - Edsall Boulevard & 16th Street

Ord. #2005-24 - An Ordinance to Amend Chapter 410, Zoning - Various Zone Designations

Ord. #2005-25 - An Ordinance to Adopt a Redevelopment Plan for Redevelopment Area D-4, Block 5902, Lots 17 & 18, and to Amend the Zoning Map of the Borough

(To Be Postponed)

The Planning Board did not take any action at their July 18th meeting on the above item. A motion to postpone the public hearing until the August 18th regular meeting of the Mayor and Council will be offered at tonight's regular meeting.

Ord. #2005-26 - An Ordinance to Amend Chapter 410, Zoning - Easing of Off-Street Parking Restrictions in Certain Blocks and Lots - (See Ord. #2005-10)

PUBLIC PARTICIPATION

No one from the public offered any comment during this portion of the meeting.

There being no further discussion the meeting reconvened into closed session **on motion by Councilman Cervieri, seconded by Councilman Villano**, after the following resolution was read.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Villano, the meeting moved back into closed session at 3:45 p.m. to discuss the following items with no objections:

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:

Two Items of Potential Litigation

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.

A five minute recess was taken before the meeting reconvened into closed session at 3:50 p.m.

There being no further discussion the meeting moved back into open session, and the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Villano** at 4:23 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 23, 2005 @ 7:15 p.m.

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

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

ABSENT: Councilman Sokolich

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

3. On June 17, 2005, a copy of said change in meeting time was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW
Emergency Medical Technician Hiring
Parks Department - Part-time Help
Clean Communities Hires
Deputy Emergency Management Coordinator
Police Department
Salary Review Procedure

Contracts: Dean Marchetto, Architects - for Solar Energy System for the New Community Center
Bergen County Economic Development Corp.
Constitution Park Food Stand
Hannoch Appraisal Services

Tax Appeals: 241 Main Street
1611 Palisade Avenue

Property Acquisition - Ray Levy, Director of Economic Development, Paul Grygiel, for Borough Planner and Henry Ney, Borough Traffic Engineer, in Attendance

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

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

Proposed Zoning Changes - Ray Levy, Director of Economic Development, in Attendance

Messrs. Grygiel and Ney, were present for this portion of the meeting.

Mr. Levy explained that the Borough is in the midst of adopting a redevelopment plan for redevelopment area 4, located at 2175 Lemoine Avenue. It will be sent to the Planning Board for their approval at their July 18th meeting. He wants to introduce a resolution or ordinance at next week's special meeting of the Mayor and Council.

He explained that the zoning for 2175 Lemoine Avenue would be changed to accommodate 24 to 30 apartments. There will be no change in the height requirements.

Mayor Alter asked if the owner of the property is the developer.

Mr. Levy responded that the owner is the developer for one portion of the redevelopment area. He is still unclear who the developer will be for the other piece of property.

Mr. Levy also spoke to the proposed change in zoning for the eastern end of Main Street from Federspiel Street going east to Hudson Terrace.

Mayor Alter recused himself on this matter and asked that Council President Pohan chair this portion of the meeting.

Mr. Villano spoke to the R-10a high-rise zoning designation with regard to the property that Mr. Levy was talking about.

Mr. Levy spoke to the downsizing of the commercial property on Main Street from 11 stories to 9 stories for the back piece, which is the south piece that bridges Kaufer Lane and Hudson Terrace. There will be retail and residential establishments built on both sides of Main Street.

Mr. Cervieri asked about acreage and density.

Mr. Levy responded that about 140 units could be built on an acre of property.

Speed Humps (Added on Item)

Mr. Levy stated that two speed humps are going to be placed in the Linwood Park complex on an experimental basis. Also, the speed is going to be reduced to fifteen miles per hour. The residents of the complex have approved the plan that is going to be implemented.

ENGINEERING DISCUSSION

Peter Anderson, Boswell McClave Engineering representative, was present for this portion of the meeting.

Awarding Bid for Road Improvements to Cumbermeade Road

A resolution awarding bid to Montana Construction, Lodi, New Jersey in the amount of \$784,264.00 for road improvements to Cumbermeade Road will be added to tonight's regular meeting proposed consent agenda.

Mr. Cervieri recommended that the curb work be done in Belgian block. It affects about sixty families.

Ms. Thomas stated that the Borough has received several grants from the New Jersey Department of Transportation for Cumbermeade Road. There is a tree problem in one spot. Tree roots are going to be broken once the sewer work begins.

Report Update for Improvements to the DPW

Mr. Villano inquired as to how the work is progressing for the site improvements to the DPW facility.

Ms. Thomas stated that plants will be placed along the green band of the complex.

Ms. Kasofsky read a brief memo stating what Tony Lione, DPW & Parks Director, wrote to the Mayor and Council regarding the improvements.

Mr. Villano spoke to the possibility of planting honey locust trees at the site based on the recommendation of the Borough's Main Street architect, Do Chung.

Ms. Thomas to look into Mr. Villano's request.

Emergency Sewer Repairs

Ms. Thomas spoke to one large emergency sewer repair at the corner of Lemoine Avenue and Bridge Plaza North, and the other emergency sewer repair involving a force main break at Main Street and Schlosser Avenue.

Resolutions will be forthcoming once the amounts for the emergency repairs are established.

GENERAL DISCUSSION

Renewal of Liquor Licenses

Mr. Grant explained that a resolution renewing the Borough's liquor licenses for 2005-2006 will be placed on tonight's regular meeting proposed consent agenda.

Mr. Grant added that Jabadou, Inc., t/a Tribecca, 2027 Lemoine Avenue, has a separate resolution which places certain conditions on its license with its renewal.

Police Department Parking

Ms. Thomas stated that the Parking Authority is looking at plans to deck the Police Department lot.

Mr. Villano noted that there are some interim plans including placing angled parking on Edsall Boulevard and having some of the big rigs being removed from the police lot.

Mayor Alter stated that the Borough cut parking dramatically when the park plans were cut. For major events, shuttle buses are going to have to be used.

Mr. Cervieri said that the police visitors parking spaces on Edsall could be converted for parking of police vehicles only.

Ms. Thomas stated that there is going to have to be some metered parking and that some free parking spaces are going to have to be available for people who have official business at the Police Department.

Conversation ensued between Messrs. Alter and Cervieri about the possible decking of the lot. Steve Monetti, Parking Authority Executive Director, is aware of the situation and is looking into solutions.

Edsall Boulevard Between Inwood Terrace & 16th Street

An ordinance creating a one-way street westbound at the above location as recommended by the Police Department will be placed on tonight's regular meeting agenda for introduction.

Stop Intersection of Westbound Edsall Blvd. & 16th Street

An ordinance creating a stop intersection at the above location as recommended by the Police Department will be placed on tonight's regular meeting agenda for introduction.

Awarding Bid for a Digital Video In-House Recording System

A resolution awarding bid to the lowest compliant bidder, Colskey's Television & Radio Sales, North Brunswick, New Jersey for a digital video in-house recording system for the Police Department at a cost of \$27,689 will be placed on next week's special meeting agenda.

Mr. Cohen to prepare the appropriate resolution.

Awarding Bid for a Catch Basin Cleaner Truck for the Department of Public Works (DPW)

A resolution awarding bid to Holman Truck Center, Maple Shade, New Jersey as the lowest compliant bidder for a catch basin cleaner truck, for the DPW at a cost of \$162,739.00 will be placed on tonight's regular meeting proposed consent agenda.

Chamber of Commerce Meeting (Added on Item)

Mr. Cervieri stated that Mr. Levy did a magnificent job at last week's Chamber of Commerce luncheon with regard to his presentation of the new Centuria project as well as other projects the Borough is in the midst of doing. He wished Mr. Levy's presentation had been videotaped.

Main Street Design Criteria (Added on Item)

Mr. Villano stated that progress is being made. He expects that further discussion of this item will be held at the July 21st executive session.

Accidents on Palisade Avenue (Added on Item)

Conversation ensued about pedestrians being hit by fast moving vehicles in the Borough.

Mayor Alter asked Mr. Cohen for an opinion letter about pedestrians having the right-of-way, like the law is currently written in California.

Mayor Alter stated that he is going to push New Jersey's legislators into taking action about rewriting New Jersey's pedestrian laws.

PUBLIC HEARINGS SCHEDULED FOR JUNE 23, 2005

- Ord. #2005-14--Establishing Chapter 55, Section 26, Fire Department Reimbursement Program for Clothing Allowance - Minimum Standards Established
- Ord. #2005-15--Amending Chapter 388, Section 58, Schedule XIV, No Left Turns - North on Harvard Place to West on Route 5
- Ord. #2005-16--Amending Chapter 388, Section 51, Schedule VII, One-way Streets - Hazlitt Avenue Westbound Only From Maple Street to Route 1/9 North (Route 46 East)

Ord. #2005-17--Amending Chapter 388, Section 65,
Schedule XVII, Vehicle Movement on Private Property
Open to the Public - Whiteman Mall Ingress and Egress
to and from Lemoine Avenue
Ord. #2005-18--Amending Chapter 388, Section 63,
Schedule XVII Lane Use Reservations for Main Street
at Center Avenue
Ord #2005-19--Amending Chapter 388, Section 59,
Schedule XIV-A: Right Turn Only on Slocum Way
Eastbound at Intersection of Palisade Avenue
Ord. #2005-20--Establishing Chapter 310, Prior Notice
of Utility Work

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Digital Recording System	

There being no further discussion the meeting was adjourned
**on motion by Councilman Cervieri, seconded by Councilman
Sargenti, at 7:46 p.m.**

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 2, 2005 @ 8:20 p.m.

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Public Safety Director

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department Special Officers -
Thomas Ripoli, Police Chief, Jack Reuter,
Deputy Police Chief and Bernard Hart,
Public Safety Director, in Attendance

Police Department Summer Help
Recreation Department Summer Help
Health Department

Liquor License Transfer

Tax Appeal: 1170 Apartment Corp.

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

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

ENGINEERING DISCUSSION

Stephen Boswell and Peter Anderson, Boswell McClave Engineering, were present for this portion of the meeting.

Mr. Boswell mentioned that Ed Mignone has left his firm, and he introduced Mr. Anderson as the Borough's new engineering representative, to the Mayor and Council.

Combined Sewer Overflow

Mr. Boswell noted that the subcontractor was delinquent in getting his proposal to him.

He asked that this item be held until the June 23rd regular meeting.

Repaving of Cumbermeade Road (Added on Item)

Mr. Boswell noted that the bids for this project are due to be opened on June 17th. He would like to award the bid at the June 23rd regular meeting of the Mayor and Council.

Middle School Field

Messrs. Alter and Sargenti spoke to the current inadequate drainage at the field

Mr. Boswell to look at the field. Ms. Thomas to get Mr. Boswell the proposed plans for the new field.

Ms. Thomas stated that there should be no reason for a redesign on the project. The original design plans from over a year ago should suffice.

GENERAL DISCUSSION

Police Report - Intersection of Slocum Way and Palisade Avenue - John Klein, Police Sergeant, in Attendance

Sgt. Klein explained the problems when people try to go straight to the Atrium or in making a left onto Lemoine Avenue and/or Palisade Avenue from Slocum Way. The Police Department is recommending that a right-turn only be made from Slocum Avenue eastbound to Palisade Avenue.

The Mayor and Council concurred with his request.

An ordinance allowing for the right-turn only will be placed for introduction at the June 9th regular meeting.

Police Report - Tom Hunter Road Between Center Avenue and Lemoine Avenue - John Klein, Police Sergeant, in Attendance

After a brief discussion with Messrs. Klein, Cervieri, Alter and Villano, it was agreed no action should be taken on changing Tom Hunter Road from a two-way to a one-way street and which way the directional flow of traffic should be until Schoor DePalma, the Borough's traffic engineering consultants, gets a chance to review this matter.

Capital Budget 2005

Ms. Thomas stated that she has circulated the capital budget requests for 2005.

Mayor Alter asked if outfitting the community center was included in the capital budget document.

Ms. Thomas replied with a "no" to the Mayor's question.

Ms. Thomas added that if the Mayor and Council have any questions or potential changes to the capital budget document they let her know; otherwise, the capital budget will be introduced at the June 23rd regular meeting.

Accepting 2004 Audit Report

Mr. Grant stated that a resolution accepting the 2004 audit report will be placed on the June 9th regular meeting proposed consent agenda.

Tree Preservation Ordinance

Mr. Cervieri spoke to the clear cutting of the Delfini property on Arcadian way. He thought the Borough's ordinance was supposed to take care of situations like this one.

Messrs. Pohan and Alter spoke to the one tree cut-down that property owners are allowed.

Mr. Cervieri thought a tougher penalty should be in place.

Mr. Grant replied that the Municipal Court Judge cannot impose a fine of more than \$1,250 for a Borough Ordinance as permitted by state statute.

Mayor Alter said the major problem is with developers and not individuals.

Mayor Alter asked Mr. Cohen if Judge DeSheplo could be spoken to about the issue with regard to imposing stiffer penalties for violators.

Mr. Cohen replied affirmatively to the Mayor's question.

Installation of Parking Meters on Whiteman Street Between Palisade Avenue and Lemoine Avenue

Mr. Cervieri mentioned that the above area is one of the few areas that does not have parking meters.

It was agreed that the Borough should wait to hear the recommendation of the Parking Authority before going any further with this item.

Community Development Representatives 2005-2006

Mayor Alter will be reappointing Julia Ticola as his Bergen County Community Development representative for the 2005-2006 calendar year.

The Borough Council will be reappointing James Viola as its Bergen County Community Development representative for the 2005-

2006 calendar year.

The Borough Council will be reappointing Mr. Grant as its representative to the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund for the 2005-2006 calendar year.

All of the above appointments will be placed for action on the June 9th regular meeting agenda.

National Little League Fundraising

Mayor Alter took this item off the agenda.

Transfer of Courtesy Motels Inc., to Sapthagiri, LLC at 2167 Route 4 East

Mr. Grant stated that the applicant for the above motel transfer was reviewed and approved by the Police Department.

A resolution approving the above motel transfer will be placed on the June 9th regular meeting proposed consent agenda.

Upgrade to Borough Computer System

Ms. Thomas stated that a resolution authorizing a purchase of a new computer file server for the Borough from Hewlett-Packard at a cost of approximately \$30,000 will be placed on the June 9th regular meeting proposed consent agenda.

Police Department Parking

Mayor Alter gave a history of the Police Department's parking situation. Originally, underground parking was to be established at the new community center, but due to the project being stripped down the Police Department is still short on parking.

Ms. Thomas stated that the Police Department has forty-five spaces assigned to them in the new parking lot, but they are looking for upwards of seventy parking spaces which includes the parking of civilian employees' vehicles.

Mr. Sokolich stated that the new community center is deficient with regard to parking of vehicles. He suggested a sticker system may have to be instituted.

Mr. Hart stated that impounded cars have been moved to the DPW yard at 540 Main Street. During the day 45 to 50 parking spaces may be needed. During evening hours and weekends the need may not be as heavy.

Mr. Villano on questioning from the Mayor stated that there are 191 spaces available for the community center which includes the parking of police vehicles.

Mr. Cervieri spoke to tandem parking or possibly decking the parking lot, and also having the Parking Authority look into the entire parking situation.

This situation is to be continually monitored and to be brought back to the table for further discussion as needed.

Community Center

Ms. Thomas stated that a contract will be awarded to Dynamic Productions at the June 9th regular meeting to prepare the technical specifications for outfitting the new community center with audio equipment, lighting and theater equipment at a cost of \$8,000.

Mayor Alter indicated that the new community center will not be known as John Harms South. The community center was not built to be a drama hall. No more than 20% of the activities should be deemed for theater related items.

Mr. Pohan replied that the community center committee agrees with what the Mayor is saying. He indicated that the facility will be operating seven days a week, approximately twelve hours a day.

Mr. Pohan added that when Dynamic Production puts their specifications together, the package will have many components that can be sliced accordingly when bid on to keep the cost down.

Mayor Alter spoke to the potential staffing needs at the facility and asked that this item be placed on the June 23rd executive session for discussion.

PUBLIC PARTICIPATION

No one from the public offered any comment 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 9:15 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, May 26, 2005 @ 7:30 p.m.

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, (Arrived at 7:40 p.m.) Kasofsky, Cervieri

ABSENT: Councilman Sargenti

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Fire Department
Fire Prevention Spring/Summer Help

Settlement of Tax Appeal: 1141 Buckingham Road
- Steve Muhlstock, Tax Appeal Attorney, in Attendance

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

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

GENERAL DISCUSSION

Opening of New Community Center

Mr. Pohan stated that the new community center should be completed by the middle of June. Furnishing and outfitting the building properly will take several months. He is looking to have a grand opening by the third weekend in October. He asked the Mayor and Council what level of entertainment they want to have at the grand opening.

Mr. Cervieri suggested using the Bergen County junior symphony orchestra.

Mayor Alter replied that he would rather see the Fort Lee kids take part and use their musical orchestra.

Mr. Pohan closed by saying that local talent will be used as part of a program that will include speeches and presentations.

Mr. Villano arrived at this point in the meeting at 7:40 p.m.

Advertising for Bids for Theater Aspect of Community Center

Mr. Pohan stated that outfitting the new community center with the proper lighting trusses for the stage and auditorium, and other equipment related to the theater aspect could run as high as \$1,500,000. He hopes that ultimately the figure will not be that much.

Ms. Thomas noted that the new community center is being prepared like a community theater.

A resolution authorizing the Purchasing Consultant to

prepare specifications and advertise for bids for the needed theater equipment will be placed on tonight's regular meeting proposed consent agenda.

Notification Prior to Utility Work

Mr. Cervieri noted that the Borough has to pass an ordinance in order for PSE&G to have to legally notify the Borough prior to utility work that they may be doing in or on a public right of way.

Mr. Cohen to prepare an ordinance for introduction for the June 9th regular meeting.

The Kyoto Rules - Global Warming

Mayor Alter explained that some people do not like the Kyoto Rules.

Mr. Cervieri spoke to having a Borough-wide protocol.

Ms. Thomas replied that the Borough does have a protocol. The Borough is also looking at the use of some hybrid vehicles, particularly for the building and fire inspectors who are out on the road most of the day.

Mr. Pohan stated that the hybrid vehicles are not proven. They seem to run well only on a level surface.

Mayor Alter noted that the Board of Public Utility Commissioners has had no problems with the hybrid vehicles they are using except that the space inside the vehicles is minimal. It is not a comfortable vehicle to be in. He suggested that the Borough try one or two of the hybrid vehicles on a demonstration basis.

National Little League Fundraising

Mr. Cervieri requested that this item be brought back to the June 2nd executive session for discussion.

Keep Our Community Clean

Mayor Alter said that he received letters from many school children speaking to the cleanliness of the Borough.

Ms. Thomas stated that the kids in the Fort Lee school system have done a poster program in the past and are prepared to do another one for promoting cleanliness in the Borough.

Pedestrian Right-Of-Ways (Added on Item)

Mayor Alter asked Mr. Hart to check out the laws regarding pedestrians having the right-of-way in crosswalks and streets. He wants drivers to be put on notice if they are not complying with the laws.

Saint Rocco Italian American Mutual Aid Society Festival - August 3rd through August 7th

Mr. Grant stated that he spoke to Paul Kaufman, Esq., attorney for Town & Country Developers, who told him that permission has been given to the St. Rocco Italian American Mutual Aid Society to use Martha Washington Way for their annual feast.

A resolution approving St. Rocco's request for use of Martha Washington Way for their feast will be placed on tonight's regular public meeting consent agenda.

Developers Agreement for V&R Developers, Inc. for Property Located at 153 Cedar Street

A resolution approving the developers agreement for V&R Developers as prepared by the Borough Attorney's office will be placed on tonight's regular meeting proposed consent agenda.

S-2133/A-3803 Educational Requirements for Zoning and Planning Board Members

Mayor Alter stated that the League of Municipalities (LOM) is opposed to this. The Borough needs people who care about the community on the Board of Adjustment and Planning Board. The Borough can hire the experts. He is requesting that a letter be sent to the LOM supporting their stance on this matter.

The Council concurred with Mayor Alter.

PUBLIC HEARINGS SCHEDULED FOR MAY 26, 2005

Ord. #2005-11--Capital Ordinance to Include a \$215,000 Grant From the New Jersey Department of the Treasury for the Construction of the New Community Center

Ord. #2005-13--Amending Salary Ordinance #2004-22,
Establishing Salaries for White Collar and Certain
Non-Union Employees Schedule (B)

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Idling of Vehicles .Requesting Placement of No Littering Signs	Mayor Alter Mr. Cervieri Mayor Alter Ms. Kasofsky

There being no further discussion the meeting was adjourned
**on motion by Councilman Cervieri, seconded by Councilman
Sokolich, at 7:55 p.m.**

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, May 5, 2005

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Fire Department Clothing Allowance
Various Spring/Summer Help

Office of Emergency Management

Litigation: Loucas and Farmer's Insurance Company of
Flemington vs. Borough of Fort Lee

Potential Sale of Borough Property

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

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

ENGINEERING DISCUSSION

Derek McGrath, Boswell McClave Engineering representative, was present for this portion of the meeting.

Combined Sewers (CSO's)

This item was carried to a future executive session.

Borough Hall Roof

Mr. McGrath met with Ms. Thomas earlier this week. The shrink wrap has stopped the leaks, but it is not the permanent solution. The older active roof has contributed to its wear and tear. The new roof on the addition is in fine shape. If the Borough wants to add another floor, then nothing should be done with the dome and roof.

Ms. Thomas stated that the estimated cost to fix up the dome is \$80,000. The dome would be repaired first, followed by the roof and then pointing and waterproofing would follow.

Mayor Alter said he is not sure another story has to be added. He would like to get moving on the repairs to the dome.

Mr. McGrath pointed out that a crane is going to be needed when the repairs are made and it will be inconvenient.

Mr. McGrath concurred with Ms. Thomas about the procedure to be taken.

The process must begin with the architect Lawless and Magione giving the Borough a proposal.

Cumbermeade Road - Authorization to Go Out to Bid

Ms. Thomas stated that the Borough will skim coat Cumbermeade Road before the roadway reconstruction project begins in the summer.

Mr. Sokolich recommended that a letter be sent to the people of Cumbermeade Road outlining what the Borough is going to be doing.

Ms. Thomas' office will send out notices to the residents.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the roadway reconstruction project will be placed on the May 12th regular meeting proposed consent agenda.

Mr. McGrath further explained that there are two huge trees in the sidewalk area of 1022 and 1069 Cumbermeade Road. The roots are in the roadway. He is recommending that a tree expert be brought in to look at the situations.

Mr. Cervieri stated that if the trees are removed then new trees should be planted with the homeowner's approval.

Mr. McGrath mentioned that eighty feet of 1076 Cumbermeade Road is done in Belgian block curb. It is the Borough's curb and right-of-way.

Mr. Cervieri asked Mr. McGrath what the additional cost would be to do the entire project in Belgian block.

Mayor Alter said that the tree expert needs to be brought in first.

Ms. Thomas asked Mr. McGrath to have the tree expert give the Borough its recommendation before anything else is decided upon.

GENERAL DISCUSSION

General Obligation Bonds - Permanent Financing

Ms. Thomas stated that a resolution to permanently finance over \$16,000,000 will be placed on next week's regular meeting agenda.

Potential Street Naming

Mayor Alter mentioned that Lynsay Peppard has requested that the plaque that the Borough made honoring her family be placed in Borough Hall.

Mayor Alter stated that at his suggestion he would like to see a street named in honor of the Peppard family. There have been suggestions that with a few new streets that are going to be built, naming one of them after the Peppards would be a possibility.

Mr. Cervieri added that the Peppard family lived on Church Street. Presently there are seven houses and eight families who live on that block. He suggested that maybe there could be a dual name used on Church Street.

There was no clear-cut consensus amongst the Mayor and Council so as to make a decision on the matter tonight.

Police Department Traffic Engineering Survey Reports:

Police Lieutenant Luke Guglielmo was present for this portion of the meeting

a. Main Street and Center Avenue

Lt. Guglielmo stated that the goal is to enhance the flow of traffic heading east on Main Street. A left-hand turn lane would be created by eliminating the two parking spaces across from 309 Main Street going eastbound. The meter heads have already been bagged. An ordinance would need to be done and then sent to Bergen County because Main Street is a county road. The expense for the upgrade of the traffic light is fairly minimal. It would cost approximately \$6,000. An ordinance would need to be done to create the left-hand turn lane.

Mr. Cervieri pointed out that the Borough's goal is still to actively increase parking.

1. Main Street and Palisades Avenue (Added on Item)

Mr. Cervieri asked about left hand turns at that area.

Lt. Guglielmo explained that some of the traffic flow at the intersection corresponds with the traffic heading southbound from Martha Washington Way.

Mr. Cervieri suggested that the southbound traffic signal have a delayed green signal for forty-five seconds allowing northbound traffic at Palisade Avenue to make a safe left turn onto westbound Main Street.

The Mayor and Council suggested that the southbound traffic signal set a delayed green signal for forty-five seconds allowing northbound traffic to make a safe left turn into Main Street traveling westbound.

b. Whiteman Mall Ingress & Egress

Lt. Guglielmo stated that there is already a no left-hand turn prohibition in place from both exits of the Whiteman Mall. He explained that the northbound opening to the mall would be an egress only and the southbound opening would be an ingress only.

Mr. Cervieri explained that the no left hand turn prohibition was part of the original site plan approval. By entering by Interchange Bank, there would be fewer accidents.

An ordinance establishing the one-way ingress and egress into the mall will be prepared by the Borough Attorney and introduced at a future Mayor and Council regular meeting.

c. Christie Lane & Hazlitt Avenue - One-Way Streets

Lt. Guglielmo explained that due to the morning and evening rush hour traffic Maple Street gets backed up. He is requesting that both Christie Lane and Hazlitt Avenue, currently two-way streets, be changed to become one-way streets westbound. This would stop the people from coming off of Route 46 east and backing up Maple Street. He mentioned that there is only one residential property owner on Christie Lane.

Ordinances establishing Christie Lane and Hazlitt Avenue as one-way streets will be prepared by the Borough Attorney and introduced at a future Mayor and Council regular meeting.

2. Route 46 Entrance by Amoco Going Westbound (Added on Item)

There was a brief discussion about the two-way roadway at the Fort Lee/Leonia border.

Mr. Cervieri stated that this is the only entrance ramp to a State highway in New Jersey which is a two-way roadway and it is obvious accident waiting to happen.

Ms. Thomas to check if the roadway is controlled by the State.

d. Intersection of Route 5 and Harvard Place

Lt. Guglielmo spoke to the above intersection and its history of multiple collisions. There is no line of sight at the location for cars to make the left-hand turn onto Route 5. He is recommending that only a right-hand turn be made there. Past surveys have been done that indicated that the majority of cars using Harvard Place are not from Fort Lee. No recent survey has been done. If the change is put into place motorists will have to use Lafayette Avenue in Cliffside Park or Brinkerhoff or Central Boulevard in Fort Lee.

Mr. Sokolich expressed concern that a lot of traffic is going to be steered in the wrong direction.

Lt. Guglielmo concurred that there would be some additional traffic by Fort Lee Public School #4.

Mr. Cervieri asked if this plan is going to be an improvement.

Lou LaMastro, 1001 Inwood Terrace, spoke about the subject. As a resident in the area he believes that by prohibiting left-hand turns, there will be fewer accidents.

Mr. Villano added that if traffic is steered to Deerwood Road, the sight lines are much better to make a left-hand turn onto Route 5.

Mayor Alter stated that he believes the Borough should go along with Lt. Guglielmo's recommendation.

There were no objections from the governing body.

An ordinance eliminating the left-hand turn at Harvard Place by Route 5 will be prepared by the Borough Attorney and introduced at a future Mayor and Council regular meeting.

Limited Left Turn Use Going Westbound From Hudson Terrace to Bruce Reynolds Boulevard

Mr. Cervieri explained that there would be a tremendous saving of time by prohibiting left turns from Hudson Terrace to Bruce Reynolds Boulevard.

Mayor Alter replied that the Borough is seriously considering replacing the Port Authority police at various intersections. The Borough is working on it. He just spoke to Ray Levy, Director of Economic Development, about this situation just a few hours ago.

There is no action to be taken on this matter at this time.

No Left Turn Old Palisade Road - Official Vehicles Only

Mr. Cervieri suggested that there be a no left-hand turn sign placed on River Road at Old Palisade Road except for official vehicles.

Lt. Guglielmo explained that there is a no left-hand turn sign prohibiting trucks from using Old Palisade Road.

Mayor Alter mentioned that the residents of River Ridge and the Palisades buildings want Old Palisade Road opened.

Mayor Alter asked Lt. Guglielmo to measure the amount of traffic on Old Palisade Road.

Conversation also ensued regarding eastbound and westbound Main Street traffic.

Riverdale Drive (Added on Item)

Mr. Villano asked Lt. Guglielmo to have the traffic signal straightened out on Palisade Avenue and Riverdale Drive.

Thermal Imaging Camera

Ms. Thomas stated that the Fire Department has requested the purchase of three fire thermal imaging cameras. The cost for all three is a little over \$28,000.

Mr. Hart added that this purchase is on State contract. The money has been allocated from last year's capital budget.

Mr. Sokolich concurred that the Fire Department needs the newer enhanced cameras.

A resolution authorizing the purchase of the cameras from All Industrial Safety Products, Inc., Edgewater Park, New Jersey, will be placed on the May 12th regular meeting proposed consent agenda.

Decontamination Trailer

Ms. Thomas stated that the Borough will be rejecting the bid for this project. The emergency services committee has agreed that the money will be redirected for a command vehicle.

Mr. Hart added that the money for the project was received from a State grant and that money can still be used for a command vehicle.

Advertising for Bids for Video Equipment for the New Community Center

Ms. Thomas stated that the Borough will be advertising for bids for video equipment which will enable the new community center to show movies. The equipment will be industrial strength.

Mr. Pohan added that the committee for the new community center was considering other types of equipment for projects, but it was agreed that only the equipment Ms. Thomas spoke to will be purchased.

Amending Taxi and Limousine Ordinance

Mr. Cohen has received comments from Mr. Pohan regarding the draft ordinance he handed out a few weeks ago. He will amend the ordinance accordingly and give it back to the Mayor and Council for review before it is introduced.

New Public Building (Added on Item)

Mayor Alter mentioned that a lot of people have been involved with the planning of the new community center. He would like to see the people recognized in some form. He is requesting an artist's rendition of a plaque so as to recognize as many people as possible who have been involved with the project from its infancy. The Mayor and Council will then review the artist's rendition and offer their comments accordingly.

Ms. Thomas mentioned that the name of the new building will be the Fort Lee Community Center.

PUBLIC HEARINGS SCHEDULED FOR MAY 12, 2005

Ord. #2005-10--Amending Chapter 345, Site Plan and Chapter 410, Zoning - Off-street and Off-site Parking Facilities

Mayor Alter stated that this ordinance is going to liberalize the parking in the main business district and should be a real improvement for the Borough.

Ord. #2005-12--Authorizing Acceptance of a Dedication of a Sanitary Sewer Easement From Reduce Construction Corp., for Property Located at 2458 Third Street, Block 7005, Lot 26

PUBLIC PARTICIPATION

No one from the public offered any comment during this portion of the meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, at 9:00 p.m.

Neil Grant
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 28, 2005 @ 7:42 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW/Parks Department/Finance Seasonal Help
Parking Authority Enforcement Officer

Office of Emergency Management

Tax Appeal: Southbridge Park

Contracts: Borough Attorney
SOSH Architects
Dennis Oury, Esq.
Phillips Preiss Shapiro Associates, Inc.
Schoor DePalma
Grucci, Inc.
Dean Marchetto Architects, P.C.

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

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

GENERAL DISCUSSION

Capital Ordinance for \$215,000 Grant for Construction of New Community Center

Ms. Thomas stated that an ordinance will be introduced at tonight's regular meeting to include a \$215,000 grant received from the State for construction of the new community center.

Mayor Alter asked if accepting the grant changes the status on how the community center can be used.

Ms. Thomas replied to Mayor Alter that the Borough does not lose control of how it can use the facility by receiving the grant.

Bergen County Community Development (BCCD) Block Program 2006-2009

A resolution continuing the Borough's participation in the BCCD block program for 2006 through 2009 will be placed on tonight's regular meeting proposed consent agenda.

Nonconforming Maturity Schedule

Ms. Thomas stated that a resolution authorizing the Borough Auditor to make application to the Local Finance Board to request a nonconforming maturity schedule will be placed on tonight's regular meeting. She added that by securing the nonconforming maturity schedule, the Borough's debt service will remain even over the years to come.

Lewis F. Cole Middle School Field

Mayor Alter explained that the field cannot hold up to the six to eight events per day that take place there. Also, with a grass field there are chemicals that are mixed in that are not good for the people who play on them; eventually, all of the grass fields are going to go. The budget laws have changed since this item went out to bid last year. The Board of Education was essentially challenged by a second bidder and they decided not to award the bid. The Board of Education says regardless of who pays for the field, it's the same taxpayers who pay for it. If the Borough funds the field the Borough's tax rate goes up and the Board of Education's rate goes down. He believes that with the new budget cap laws and the eroding of the grass field, there are no alternatives but to move forward and fund the Board of Education for a new playing surface.

Mr. Villano stated that previously it had been agreed to hold this item off for a year.

Mayor Alter explained that this is not an expenses item, but it is a capital item. The expense is factored into the taxes differently if bonding is done. The project would be amortized for at least fifteen years.

Mr. Pohan spoke to the long-term costs if bonding is used.

Mr. Sokolich stated that he was not comfortable at all with the Board of Education supervising the bid for the resurfacing.

Mayor Alter said that the resolution before the governing body is to simply state the intent of the government. He wants this item to be heard in front of the public. He does not want it squashed in this forum. He added that the Borough has a good relationship with the Board of Education and he expects that this would be done cooperatively. If the Borough can legally handle the bid then he would be for the Borough to do it. He reiterated that he would like to see this project move forward.

Mr. Cervieri stated that the Board of Education cannot go out for bonding on the project because the budget has already been approved for this year.

Mayor Alter stated that the CAP laws have changed.

Mr. Sokolich said that the Board of Education botched it up last year.

Mr. Villano repeated that he does not want to go forward with this at this time and would prefer to wait a year.

Mayor Alter reiterated that the playing field is deficient and unhealthy.

Mr. Sokolich asked Mr. Cohen about the Borough assuming control over the project. He wants the Borough to have exclusive control.

Mayor Alter replied that if it can be done, he is for it, but he is not sure that legally that is the case.

Mr. Cohen said that the Borough can be involved in all aspects, but not necessarily control the entire project.

Ms. Thomas, responding to questioning from the governing body, said that the bid specifications are done and that they are fine.

Ms. Thomas added that the project will have to go to bonding and expressed concerns if \$1,700,000 would be enough. The original bid figures came in a year ago and the price could be higher if goes to rebid.

Bids for New Decontamination Trailer & Used/New Mobile Breathing Air System

Ms. Thomas reported that no action is expected to be taken on the decontamination trailer.

A resolution for the new mobile breathing air system will be placed on the May 12th regular meeting proposed consent agenda once the Borough Attorney reviews the bids and finds them to be compliant.

Bids for DPW Pickup Truck and Fire Department Van

Resolutions for the above titled items will be placed on the May 12th regular meeting proposed consent agenda once the Borough Attorney reviews the bids and finds them to be compliant.

Bids for DPW Rotary Mower

A resolution for the above titled item will be placed on the May 12th regular meeting proposed consent agenda once the Borough Attorney reviews the bids and finds them to be compliant.

Senior Center Kitchen Renovations - No Bids Received (2nd Time)

No bids were received for the above titled item for a second time. The Borough may now negotiate and enter into contract for this project.

Sanitary Sewer Easement for 2458 Third Street

An ordinance authorizing acceptance of a dedication of a sanitary sewer easement from Reduce Construction Corp., as requested by the Borough's Fire Department for property located at 2458 Third Street will be introduced at tonight's regular meeting.

PUBLIC HEARINGS SCHEDULED FOR APRIL 28, 2005

- Ord. #2005-7--Bond Ordinance for Acquisition of Real Property at 2029 Center Avenue, Block 4601, Lot 10 - \$525,000.00
- Ord. #2005-8--Bond Ordinance for Various Improvements to Cumbermeade Road - \$525,000.00
- Ord. #2005-10--Amending Chapter 345, Site Plan and Chapter 410, Zoning - Off-street and Off-site Parking Facilities **(To be Postponed Until May 12th)**

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 Councilwoman Kasofsky**, at 7:57 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 14, 2005

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

PRESENT: Mayor Alter, Council Members Pohan, Sokolich, Villano, Kasofsky, Cervieri

ABSENT: Councilman Sargenti

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Borough Clerk's Office

Office of Emergency Management

Denial of Liquor License

Tax Appeal Settlements for Five Properties

Contracts: Dennis Oury, Esq.
Phillips, Preiss & Shapiro
Schoor DePalma

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

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

ENGINEERING DISCUSSION

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

NJDOT Application for Roadway Improvements to Stillwell Avenue From 10th Street to 8th Street

Mr. Boswell stated that there will be a resolution on tonight's meeting endorsing a 2005 NJDOT grant application for \$114,000 for the site listed above. Milling and repaving will be done as well as replacing some of the rusted guardrails.

Tax Map Revisions

Mr. Boswell stated that there were thirty-three revisions requested by the Tax Assessor. Revisions are something that Boswell does every year. He reminded the Mayor and Council that the tax maps have been approved by the State.

A resolution authorizing Boswell to make the tax map revisions at a cost of \$7,000 will be placed on the April 28th regular meeting proposed consent agenda.

Borough Hall Facade Evaluation

Mayor Alter offered a brief history of some of the ongoing problems with leaks in Borough Hall.

Mr. Boswell stated that a structural assessment was done on Borough Hall and that the building can support a third floor.

A final report will be forthcoming shortly.

Mr. Boswell stated that the leaking was stopped by shrink-wrapping the dome.

He said that there are penetrations in the facade. If a third floor is not put in, sloped installation with a new roof will need to be done to solve the leaking permanently. He added that the facade is structurally fine.

Mr. Cervieri asked how much it would cost to add a third floor to Borough Hall.

Mr. Boswell did not have an answer at this point with regard to the cost.

Mr. Sokolich spoke to the eternal light on top of the dome.

GENERAL DISCUSSION

Bond Anticipation Notes

Mayor Alter stated that it is the Borough Auditor's suggestion to recast the Borough's bonds. It is a financial call and he has done the appropriate planning for this event. The Borough can use notes for three years only. The interest rates are low and it his recommendation to go to permanent bonding. It will spread out the Borough's debt evenly.

First Shooter Response Protocol

Ms. Thomas stated that the Police Chief is handling this issue with the Bergen County Prosecutor.

Mayor Alter asked Ms. Thomas to get a short report from the Police Chief outlining Fort Lee's involvement in the program.

Hometown Directories

Mayor Alter asked Mr. Cervieri to talk to the Greater Fort Lee Chamber of Commerce for clarification purposes with regard to printing a Borough directory.

Mr. Cervieri replied that Frank Patti is the new incoming president of the Chamber. He will be trying to attract new business rather than maintaining the status quo. He will speak to him about a directory.

No action taken on this item tonight.

Equalization/Bergen County

Mayor Alter stated that the Borough has been overcorrected with the revaluation. The county tax should be reduced for Borough residents this year.

Fort Lee High School Academy of Finance

Mr. Sokolich said that the high school is offering an academy of finance. It is a new program. It is hands-on job training for some qualified high school students to be able to intern for white collar jobs. It is being done for credits for the high school students. The high school is trying to find employers. It is a lengthy and tenacious interview process. He is hoping to perhaps find a spot or two for some of the qualified students in the Borough this summer.

Mr. Villano stated that he has met with the Borough's educators regarding special education classes and that they have put up roadblocks along the way.

Mr. Sokolich concurred with Mr. Villano about the roadblocks that the educators put up, but he is still hoping to be able to find a few Borough jobs for the students to participate in this summer.

Mr Cervieri will speak to the Greater Fort Lee Chamber of Commerce about finding summer jobs for a few of the qualified students.

Mayor Alter stated that no one would object to fingerprinting of prospective employers for the students. It is better to err on the side of conservatism.

Amending Taxi & Limousine Ordinance

Mr. Cohen has incorporated various ideas. He has tried to put them into a cohesive form for the Mayor and Council's review. All amendments have been black lined for easy review.

This item to be placed back on the May 5th executive session for further discussion.

Local Assistance Board

Ms. Thomas stated that with Fr. Ryan's retirement and Sam Lipp not attending meetings, the Local Assistance Board needs someone on the Board so that they have a quorum for their meetings.

Mr. Villano suggested Pastor Allison Moore be reappointed to the Local Assistance Board. She was on the Board at one time and would like to be placed on the Board at this time.

Mayor Alter said that he will nominate her at tonight's regular meeting.

PUBLIC HEARINGS SCHEDULED FOR APRIL 14, 2005

Ord. #2005-4--Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Ord. #2005-9--Amending Salary Ordinance #2004-37 - Establishing Salary for the Police Chief

MUNICIPAL BUDGET 2005

Ms. Thomas noted that the budget will not be adopted tonight.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Alexander Espinosa 2088 Jones Road	.Studio 4 (Club & Bar)	Mr. Cohen

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, at 7:45 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 31, 2005 @ 7:55 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

3. March 22, 2005, a copy of said change in meeting time was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain

items which may generally be described as follows:

Personnel: Police Chief
Deputy Emergency Management Coordinator

Security in Tax Assessment Computer System

Litigation: TPK vs. Borough of Fort Lee

Sauter vs. Borough of Fort Lee - 530 Main
Street

Contracts: Dennis Oury, Esq.
Phillips, Preiss & Shapiro
Schoor DePalma

Vacating of Horizon Road

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

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

ENGINEERING DISCUSSION

Emergency Repairs to the Sanitary Sewer at Lewis Street Between Ellery Avenue and Edwin Avenue

A resolution authorizing Gotthold Paving, Inc., to make the necessary emergency repairs to the collapsed sanitary sewer at Lewis Street between Ellery Avenue and Edwin Avenue at a cost of \$38,000 plus \$200.00 per cubic yard for rock removal will be placed on tonight's regular meeting proposed consent agenda.

Approving Change Order for APS Contractors, Inc.

Ms. Thomas stated that this should be the last change order for APS. This change order concludes the contract the Borough has with APS and the new community center and open space park should be completed on May 31st.

A resolution approving change order #5 with APS for forty-one additional working days at a cost of \$63,222.90 will be placed on tonight's regular meeting proposed consent agenda.

GENERAL DISCUSSION

Downtown Parking Ordinance

Ray Levy, Director of Economic Development, and Dennis Oury, Economic Development Esq., were Present for this portion of the meeting.

On questioning from Mayor Alter, Mr. Oury responded that no variance or parking waiver will be needed regarding the new parking requirements in the downtown business district.

It was agreed that the downtown parking ordinance will be introduced by title only at tonight's regular meeting

Redevelopment Area 4 (2175 Lemoine Avenue)

Mr. Levy did not discuss this item. This item to be placed on a future executive session meeting agenda for discussion.

Endorsing BCCD Grant for Pennrose Developers, LLC for the Main Street Redevelopment Project

Mr. Oury stated that there are federal funds available for this project. It is the goal to have Pennrose Developers, LLC build 45 affordable housing units on Main Street across from the current Metropolitan Plant Exchange.

A resolution endorsing a Bergen County Community Development Home Investment Partnership Program grant for Pennrose for \$1,763,675.00 will be placed on tonight's regular meeting proposed consent agenda.

Center for Food Action

There was no discussion on this item. This item to be placed on the April 14th executive session meeting agenda for discussion.

First Shooter Response Protocol

There was no discussion on this item. This item to be placed on the April 14th executive session meeting agenda for discussion.

Hometown Directories

There was no discussion on this item. This item to be placed on the April 14th executive session meeting agenda for discussion.

Bergen County Employees' Assistance Program

A resolution authorizing a professional services agreement with the Bergen County Employees' Assistance Program at a cost of \$20.00 per Borough employee will be placed on tonight's regular meeting proposed consent agenda.

Authorizing Rebid for Renovations to the Richard A. Nest Senior Citizens' Kitchen

A resolution authorizing a rebid for this project will be placed on tonight's regular meeting agenda.

Use of Cell Phones in Borough Hall

There was no discussion on this item. This item to be placed on the April 14th executive session meeting agenda for discussion.

Extra Security During Court Sessions

There was no discussion on this item.

Approving Limousine License for Seville Car & Limousine Service Corp. at 2175 Hudson Street

A resolution approving a limousine license for Seville Car & Limousine Service Corp., located at 2175 Hudson Street, will be placed on tonight's regular meeting proposed consent agenda.

Local Assistance Board

There was no discussion on this item. This item to be placed on the April 14th executive session meeting agenda for discussion.

Use of Borough Employees' Computers

There was no discussion on this item.

PUBLIC HEARINGS SCHEDULED FOR MARCH 31, 2005

Ord. #2004-5--Amending the Redevelopment Plan for
Redevelopment Area 5

Ord. #2004-6--Amending Chapter 388, Section 43,
Schedule I, No Parking on East and West Side for
Entire Length of Kaufer's Lane

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Mr. Jung 2169 Lemoine Avenue	Downtown Parking Ord. Redevelopment Area 4	Mayor Alter

There being no further discussion the meeting was adjourned
**on motion by Councilman Cervieri, seconded by Councilwoman
Kasofsky, at 8:00 p.m.**

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 3, 2005

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
Avis Bishop-Thompson, for Borough Attorney
Joseph Iannconi, CFO
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department - Evaluation System
Police Department - Amending Residency Requirements for New Employees

Volunteer Fire Department - Fingerprinting
of Members
Municipal Court
Fire Prevention
Reimbursement Program

Contracts: Deferred Compensation Resolution (VALIC)

Tax Appeal Settlement

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

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

GENERAL DISCUSSION

Redevelopment Area 5 - Ray Levy, Director of Economic Development in Attendance

Mr. Cervieri and Ms. Kasofsky recused themselves on this matter.

Mr. Levy explained that an ordinance will be introduced by the Mayor and Council at their March 10th regular meeting which will amend the redevelopment plan for redevelopment area 5. It will be referred to the Planning Board at their March 14th meeting and the Planning Board will probably hold their public hearing on March 28th with regard to accepting the amended plan. The Mayor and Council will then hold their public hearing on March 31st or April 14th once the Planning Board has taken their required action.

Mr. Pohan stated that a resolution should also be approved by the Mayor and Council referring the amended redevelopment plan to the Planning Board.

Mr. Grant to speak to Economic Development Counsel about preparation of a resolution for the March 10th regular meeting.

ENGINEERING DISCUSSION

Derek McGrath, Boswell McClave Engineering representative, was present for this portion of the meeting.

Improvements to Cumbermeade Road

Mr. McGrath stated that this project began as a small project and has grown in scope the past two years. The Borough is in receipt of grants from the NJDOT. The goal now is to do the entire project including the repairs of the sewers at one time.

Ms. Thomas stated that the Borough is in receipt of \$405,000 in NJDOT grants for the project. This is a major project.

Mr. McGrath pointed out that Boswell wrote an exclusion memo today that corrected an earlier letter which explained what fees are not included in Boswell's original proposal.

A resolution awarding a contract to Boswell McClave for a fee not to exceed \$122,400 for the design and construction phases of the project will be placed on the March 10th regular meeting proposed consent agenda.

Retaining Wall for DPW

Mr. McGrath stated that the retaining wall on the south side of the lower DPW site needs to be extended to stabilize it.

Ms. Thomas said that this is the wall that goes down to the film property. The Borough has to extend it to make it safe.

Mayor Alter asked Mr. McGrath what the construction costs for the project are going to be.

Mr. McGrath replied that he was not sure what the costs are going to be at this time.

Ms. Thomas pointed out that this is an unstable situation. It is a health and safety issue.

Mr. McGrath added that an extended construction access easement is also going to be needed.

A resolution awarding a contract to Boswell McClave for the design work to replace the collapsed retaining wall at the DPW site at a cost not to exceed \$32,500 will be placed on the March 10th regular meeting proposed consent agenda.

Emergency Repair to DPW Building at 530 Main Street

A resolution authorizing payment to Conti Roofing Company, Fairview, New Jersey, for emergency repairs to the old DPW garage

at a cost of \$32,500 will be placed on the March 10th regular meeting proposed consent agenda.

Change Order for Van Fleet Park Clubhouse

Mr. McGrath stated that the sanitary sewage has to be pumped. It cannot be done by gravity. An electric grinder pump needs to be installed.

Mr. Sokolich asked if the Borough should have known that this could have been a problem from the onset of the project.

Mr. McGrath explained that the exact location of the sewer line could not be found initially.

Mr. Cervieri asked if this is a municipal sewer.

Mr. McGrath replied affirmatively to Mr. Cervieri's question. He pointed out that with sewers there can be a sense of alignment, but the depth of the sewers may not be known. That is what happened in this case.

A resolution approving change order #1 to Security Structures, Inc., for a grinder package ejector pump at a cost of \$32,503.00 will be placed on the March 10th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Municipal Budget 2005

Ms. Thomas handed out a summary sheet with regard to the municipal budget. (attached as Appendix A)

Ms. Thomas stated that the budget will be introduced on March 10th. The public hearing will be sometime in April. The Borough will adopt the budget once the extraordinary aid application is reviewed by the State.

Ms. Thomas added that the Borough will also introduce a CAP Rate ordinance on March 10th.

Mayor Alter stated that the budget increase is a little less than 10%. The Borough has to see what its credits are and then the budget can be worked down.

Mr. Cervieri spoke to the current appropriations and asked about certain numbers from the Municipal Court.

Mr. Iannaconi explained that certain numbers from the court that used to be inside the CAP are now outside the CAP.

Ms. Thomas added that it was state mandated.

Mayor Alter stated that the final rate has not been struck and that the auditor's consultant's report is not for public consumption.

Mr. Iannaconi reaffirmed that the budget must be introduced by March 10th or the Borough's extraordinary aid application will not be accepted by the State.

It was also agreed by the Mayor and Council that a special budget meeting will be held in the daytime after the budget is introduced.

Mr. Grant to send out the proper legal notice once a meeting date has been set.

Awarding Bid for Solid Waste & Recycling Services

Ms. Thomas stated that the Borough is going to award the bid for the pickup of solid waste and recycling services to Miele Sanitation Co. A three year contract with option two, solid waste collection two times a week except apartments, condos and cooperatives which will be picked up five times a week and option three, collection of recyclables will be placed on the March 10th regular meeting for action.

Mayor Alter stated that he was happy to see Miele be the lowest responsible bidder as they bailed out the Borough when its garbage collector filed for bankruptcy.

Ms. Bishop-Thompson to prepare the appropriate resolution for next week's meeting.

Amending Tree Removal and Replacement Ordinance

There was no discussion on this item tonight.

Red Light Violations - Civil Summonses

Mayor Alter mentioned that ten years ago the Borough had the opportunity to get into a pilot program to install cameras on red lights to take pictures and issue summonses. It was offered to the Borough free and the Borough turned it down. Since then,

New York City has been involved with the program and Bergen County is starting to do it. Judge DeSheplo is now recommending the Borough go forward with this venture as his original uneasiness with the program has been eliminated.

Mr. Cervieri thought it was like an E-Z Pass system and he is not for it.

Mr. Pohan stated that he did not agree with the legal opinion that was given to the Mayor and Council with the information that they were given. He is also not in favor of doing it.

The Mayor and Council concurred that they were not interested in getting involved in red light violations i.e. civil summonses being given to motorists through the installation of cameras taking violation pictures at various traffic signals.

Police Vehicles

Mr. Hart has requested the purchase of three unmarked and one marked vehicle for the Police Department. Two of the vehicles would be four-wheel drive Ford Explorers.

Mayor Alter asked about the use of confiscated funds for the purchase of the vehicles.

Mr. Hart replied that confiscated funds cannot be used for replacement of police vehicles.

Mr. Cervieri asked what the cost would be to buy the four vehicles.

Ms. Thomas replied that the Borough has set aside \$50,000 for the purchase plus it has an additional \$31,000 in insurance monies that have been received for various accidents.

Mr. Hart concurred that the purchases fall under the \$81,000 total that the Borough has.

Old Palisade Road Between Federspiel Street and Main Street

Mr. Cervieri would like to see Old Palisade Road between Federspiel Street and Main Street become a one-way street.

Ms. Thomas replied that the Police Department did a study and they thought it was a good possibility that it would become a one-way street.

Mayor Alter requested that Mr. Levy be brought in to discuss this item at the next available executive session.

Local Assistance Board

It was agreed that when the new pastor comes into Madonna Church that he should be considered for the vacant position to the Local Assistance Board.

Fr. John Ryan was an appointed member to the Local Assistance Board until he left Madonna Church recently.

Board of Education Middle School Field

Mayor Alter stated that he was informed by the Board of Education (BOE) that there is no difference who taxes the public. He believes that this is not necessarily acceptable to the Borough Council. The BOE wanted to have a discussion with the Mayor and Council. It is his opinion that if the BOE would lease the field, the Borough would control the scheduling of the field.

Mr. Villano explained the history of the joint venture between the BOE and Mayor and Council. It was originally agreed that the surrounding areas of the field would be done by the Borough and that the BOE would do the field. The BOE had problems with the bidding process and shelved the project.

Mayor Alter added that the BOE was extremely concerned that someone was going to sue them. They wanted the Borough to pay the whole thing.

Mr. Sargenti expressed concerns that the BOE has lost the use of the bond issuance.

Mayor Alter replied that the BOE has \$800,000 of the Borough's money.

Mr. Cervieri asked if the Borough can get the money back.

Mr. Iannaconi replied negatively. The school board levy is turned over to them. That money became the surplus money that the BOE now has. The new school budget law states that the BOE has to reduce their surplus and reduce their levy for this year. They have a restricted surplus. They will have more this year than in other years. They have to offset the levy this year.

Mayor Alter added that the voters of Fort Lee gave the BOE their surplus.

Mr. Iannaconi stated that the money is in the bond ordinance.

Mr. Sargenti stated that the Borough could give them an additional \$800,000 if it wanted to.

Mayor Alter believes that the Council wants the field built.

Mr. Cervieri replied that he is not an ardent supporter for the project.

Mayor Alter asked the Council about leasing the field.

Mr. Pohan replied that if the project is worthwhile then it should be done regardless of who is doing it. Either do the project or don't do it. Eventually it the same taxpayers who pay for the project.

Mr. Villano stated that maybe the project could be looked into next year.

Mayor Alter asked the Council for a vote to see who is willing to give \$800,000 to the BOE for the project.

There was a 3-3 vote, and because the Mayor cannot break a tie in favor of giving the money to the BOE, he stated that there is no more to be discussed tonight with regard to this matter.

Developers Agreement for Metropolitan Plant Exchange

A resolution approving a developers agreement for Metropolitan Plant Exchange at 2125 Fletcher Avenue as prepared by the Borough Attorney's office will be placed on the March 10th regular meeting proposed consent agenda.

Developers Agreement for Reduce Construction at 2456 Third Street

A resolution approving a developers agreement for Reduce Construction at 2456 Third Street as prepared by the Borough Attorney's office will be placed on the March 10th regular meeting proposed consent agenda.

Hiring of Surveyor and Environmental Consultant for 95 Main Street

Mr. Grant explained that a resolution awarding contracts for the hiring of a surveyor and environmental consultant for the

acquisition of property in preparation for the realignment of lower Main Street will be placed on the March 10th regular meeting proposed consent agenda.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Mr. Jung 2169 Lemoine Ave.	.Redevelopment Area 5 Out-parcels (Pan Asia Bank)	Mayor Alter Mr. Pohan Mr. Grant
Nina Levinson 1560 West Street	.95 Main Street Property	Mr. Villano Mr. Cervieri

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Pohan** at 8:59 p.m.

Neil Grant, RMC
Municipal Clerk

**BOROUGH OF FORT LEE
2005 MUNICIPAL BUDGET
INITIAL SUMMARY SHEET
(Appendix A)**

		Tax Rate
Total Appropriations 2004	\$51,213,361	
Total Appropriations 2005	<u>\$53,163,653</u>	
Increase	<u>\$ 1,950,292</u>	
Percentage	<u>3.67%</u>	
Tax Levy 2004	\$40,387,995	0.692
Tax Levy 2005	\$43,936,942	<u>0.767</u>
Increase	<u>3,548,947</u>	<u>0.0749</u>
Percentage	<u>8.79%</u>	
 <u>Appropriation Increases</u>		
Salaries and Wages - Police	740,637	
Salaries and Wages - Other	279,714	
Health Benefits	704,650	
Library	653,452	
Debt Service	(96,860)	
Pension	374,592	
Other Expenses	<u>(705,893)</u>	
	\$1,950,292	

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 24, 2005 @ 7:10 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department Grievance
Police Department Administrators

Contract: Time Warner Cable - Ray Levy in Attendance

Litigation: Tax Appeals - Steve Muhlstock, Tax Appeals Attorney, in Attendance

Closed Session Minutes - September 30, 2004 (Special Police Officers Portion)

Property Acquisition: 2029 Center Avenue

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

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

GENERAL DISCUSSION

Federal Transportation Reauthorization

A resolution supporting continuation by Congress to support full and fair funding for the "TEA-21 long-term transportation reauthorization" will be placed on tonight's regular meeting proposed consent agenda.

Community Development Block Grant Program

A resolution endorsing legislation to save the Community Development Block Grant Program will be placed on tonight's regular meeting proposed consent agenda.

Advertising for Bids for Various Items for Police & DPW

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for various items for the Police Department and DPW will be placed on the March 10th regular meeting proposed consent agenda.

Ms. Thomas stated that certain items are in the capital budget and money has been allocated for them.

Whitehall Towers, LLC Developers Agreement

A resolution approving a developers agreement for Whitehall Towers, LLC, 2020 Central Road, Block 4801, Lots 1 through 11 will be placed on tonight's regular meeting proposed consent agenda.

Bus Shelter Agreement With New Jersey Transit - Lemoine Avenue at Washington Avenue

A resolution approving a bus shelter agreement with New Jersey Transit Corporation for installation of a new bus shelter on Lemoine Avenue southbound at Washington Avenue will be placed on tonight's regular meeting proposed consent agenda.

Police Commendation

Mayor Alter stated that a couple of the Borough's Police Officers did an excellent job in preventing a suicide by cop recently. He believes that there should be some public commendation of their efforts at a future Mayor and Council meeting.

Joseph Skelley Resignation From Two Boards and Committees

Mayor Alter acknowledged Joseph Skelley's resignation from two boards and committees.

Messrs. Cervieri and Alter concurred that a presentation recognizing Mr. Skelley's longtime volunteer service to the Borough should be done at a future Mayor and Council meeting.

Town & Country Zoning

Ray Levy, Director of Economic Development, and Paul Kaufman, Esq. for Town and Country Developers were in attendance for this portion of the meeting.

Mr. Cervieri and Ms. Kasofsky recused themselves on this matter and left the conference table.

Mayor Alter stated that this plan is being heard and presented for the first time tonight. The developer factored in the Planning Board public hearings and testimony of the experts. The developer took a short recess to redevelop their plan and this is what is being presented to the Mayor and Council tonight. The ultimate decision will be made by representatives of the people through the Planning Board. There will be public hearings with the Mayor and Council and Planning Board regarding acceptance of the amended redevelopment plan and then additional hearings at the Planning Board to either approve or disapprove the final plans as will be presented by Town and Country.

Mr. Levy stated that the plan that had been put together was for the Borough to achieve the goal of a mixed use development, including a new downtown district with residential units. Traffic and parking issues are a critical component. The experts all agreed that the parking and traffic program of the existing plan worked. There would be no worsening of the traffic situation. Public members and Planning Board members expressed concern over critical intersections. Town and Country had the unqualified support of the governing body and people of Fort Lee. Town and Country went back to make minor revisions of its plan to significantly improve traffic. It effectively reduced certain elements that resulted in lowering of traffic and parking impact. The new plan reduces the hotel from nineteen stories to seventeen stories, and the hotel rooms have been reduced from 450 rooms to 242 rooms. The second component of 200,000 square feet of office space has been reduced to 90,000 square feet. The number of residential units on the west side of the project has been increased from 101 to 211. There is very little latitude to move without the governing body's approval. An amendment to the redevelopment plan and the master plan needs to be completed before the project can move forward. The Borough Planner has reviewed the new plan and it will be referred to the Planning Board. The Planning Board then will make its recommendations.

Paul Kaufman, Esq. replying to Mr. Levy, stated that the hotel would actually remain at nineteen stories. The first eleven floors would include the 242 hotel rooms. The remaining eight floors would now become an additional sixty apartments and the original 208 extra hotel rooms would be eliminated. There would be no change to the retail space. The office space would go from ten floors to eight floors. The result is that there would be a 26% reduction in morning peak traffic, with 262 fewer trips. In the afternoon there would be a 24% reduction with 195 fewer trips. Six intersections' levels of service would be improved. He cited Bruce Reynolds Boulevard. A shared parking analysis on the west side with a cushion of fifty parking spots is not changing. There would be a fifty space cushion at the highest peak hour, which is Saturday afternoons. There would be a reserve of one parking space for every residential unit and 1.9 spaces for every three bedroom unit. 265 parking spaces would be dedicated for residential use. Based upon the shared parking analysis and dedicated parking spaces with total parking demand at the height of the weekday at 2:00 p.m., there would be several hundred fewer spaces being used. There has been some disagreement between the traffic experts. The new proposal with dedicated spaces and shared parking should resolve a lot of previously mentioned concerns.

Mr. Sokolich stated that this is not unusual for this to come back to the governing body. This is an impact reduction.

Mr. Kaufman concurred with Mr. Sokolich's statement.

Mr. Sokolich spoke to the plan that Mr. Kaufman detailed. The project was never going to be just a condominium project.

Mr. Kaufman stated that the project being amended this way makes it more marketable for the operator.

Messrs. Villano and Kaufman spoke to dedicated parking spots and that they are being effected on the west side of the project.

Mr. Pohan asked if the common areas of the hotel, spa and dining rooms with a total of 60,000 square feet, are changing with the amendments to the project.

Mr. Kaufman replied with a no. The common areas are part of the hotel structure.

Messrs. Levy and Alter spoke to the zoning changes that need to be made.

Mr. Pohan stated that the Mayor and Council approved the redevelopment plan last summer. The Planning Board did not like the total plan; therefore, it is now coming back with the amendments that Mr. Kaufman has offered. The Planning Board still has to decide if it is in favor of the amended redevelopment plan.

Mr. Sokolich concurred with Mr. Pohan. He is not committing his vote: at this infantile stage, it still has to be referred to the Planning Board.

Mr. Villano concurred that this presentation is just to facilitate the process.

Mayor Alter stated that the final public hearing of the governing body is a major step if it's approved or disapproved. It is not just part of a process.

Mr. Cohen reminded everyone that legal approval or disapproval should not be discussed in this forum.

Mr. Kaufman stated that his client has been listening to what is being said and is just not forging ahead.

Mayor Alter said that it is his hope and believe that the property be developed in the best interests of the Borough. The blighted area has to be done right.

This plan will be referred to the Planning Board on February 28th at which time the amended redevelopment plan and accompanying ordinance will be sent to the Mayor and Council for formal action to be taken.

Amendment to the Master Plan

There was no discussion on this item.

Linwood Park Traffic Calming Plan

Mr. Levy explained that there is an application for Executive Park which converted one of the buildings into a medical use. In conjunction with that the residents of Linwood Park were against the possibility of increased traffic. Mr. Levy met with the Linwood Park Cooperative Board and the initial potential plan was for a one-way traffic system through Linwood Park. That plan was not agreed to with the Board. It was agreed that an effective series of speed bumps made out of a composite material could be used to slow the traffic down in that area.

Steve Richter, Deputy Fire Chief, and Jack Siccari, Battalion Chief, expressed their concerns with the use of speed bumps. They were particularly concerned about having proper clearance for the fire trucks.

Mr. Levy offered to do a demonstration for the Fire Department to alleviate their concerns.

Messrs. Richter and Siccardi spoke about the short high bumps that are in Englewood.

Mr. Cervieri said that the bumps on Lydecker Street in Englewood are too short and high.

Mr. Sokolich indicated that the bumps for the Linwood complex would never be higher than four inches and they would be longer than what is being used in Englewood.

Mr. Levy to contact Schoor DePalma, Traffic Engineer for the Borough, so as to get a list of places where the Fire Department can see the traffic bumps he is talking about.

Mr. Levy indicated that the cost should be between \$15,000 and \$20,000.

If the cost is over \$17,500 Mayor and Council authorization will be needed to go out to bids for the project; otherwise, Mr. Levy is authorized to move forward with the project.

Amending "No Parking" Zone on Kaufers Lane

Mr. Levy stated that because there was Planning Board approval that requires a twenty foot cart path on Kaufers Lane, an ordinance amending the no parking requirements for both sides of Kaufers Lane needs to be done. Currently, there is no parking allowed only on the east side of Kaufers Lane.

Mr. Grant to prepare the appropriate ordinance for introduction at the March 10th regular meeting.

Do H. Chung & Partners, Inc.

Mr. Levy stated that Do Chung has done a lot of work in Fort Lee. He works in Connecticut, but he is very familiar with Fort Lee.

Mr. Cervieri asked Mr. Levy how long it should take Mr. Chung to do the design work for the downtown business district.

A resolution awarding a contract to Do H. Chung and Partners, Stamford, Connecticut to create design guidelines for the downtown Fort Lee business district at a cost of \$150.00 per hour not to exceed \$15,000 will be placed on the March 10th regular meeting proposed consent agenda.

Triple Combination Pumper for the Fire Department

A resolution awarding a contract to Pierce Manufacturing, Inc., for the purchase of a triple combination fire pumper for the Fire Department at a cost of \$456,481.00 will be placed on tonight's regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 24, 2005

Ord. #2005-2--Amending Salary Ordinance #2002-14 for White Collar Employees

Ord. #2005-3--Amending Salary Ordinance #2002-51 for Department Heads, Borough Clerk and Borough Administrator

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Roy Lippin 5 Horizon Road	Town & Country Amended Redevelopment Plan	

There being no further discussion the meeting was adjourned
on motion by Councilman Cervieri, seconded by Councilman
Sargenti, at 7:52 p.m.

Neil Grant, RMC
Municipal Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 3, 2005

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department
Purchasing Department
Health Department
Recreation Department

Contracts: Do Chung & Partners, Architects
Tax Appeal Attorney

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

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

ENGINEERING DISCUSSION

Edward Mignone, Boswell McClave Engineering representative, was present for this portion of the meeting.

Improvements to Cumbermeade Road

Ms. Thomas stated that some refinements need to be made before any action is taken by the Mayor and Council.

Mr. Sokolich asked if the eventual improvements to Cumbermeade Road include new drainage.

Mr. Mignone stated that new drainage inlets will be included when the roadway is reconstructed.

Awarding Bid for Anderson Avenue Storm Drain Bypass

Mr. Mignone stated that this project is being funded by Bergen County. The low bidder was 4-Clean Up, North Bergen, New Jersey at a cost of \$189,415. The figure includes the base bid plus an alternate bid.

The bids were reviewed by his firm and Mr. Cohen and the bids were found to be in compliance.

A resolution awarding bid to 4-Clean Up for the Anderson Avenue storm drain bypass project will be placed on the February 10, 2005 regular meeting proposed consent agenda.

Awarding Bid for Improvements to DPW

Mr. Mignone pointed out that this project was reduced from its original scope from the first time the bids were taken. The salt shed and spreader hangar were taken out from the original bid specifications. The low bidder's price of \$881,000 was

pretty consistent with the project. The bid price includes work to be done on the retaining wall along Main Street.

Mr. Cervieri asked if work to be done for the project includes the parking lot in front of the old DPW.

Mr. Mignone replied that it did not.

Ms. Thomas pointed out that money has been appropriated in various capital budgets for the project.

Mr. Mignone stated that Matina & Son, Inc., Hackensack, New Jersey, was the lowest bidder. The bids were reviewed by his firm and Mr. Cohen.

A resolution awarding bid to Matina & Son, Inc., at a cost of \$881,000 will be placed on the February 10, 2005 regular meeting proposed consent agenda.

Construction Inspection Services for Site Improvements to DPW - Added on Item

Mr. Mignone handed out Boswell's proposal for construction inspection services for the site improvements to the DPW.

A resolution awarding a contract to Boswell McClave Engineering at a cost of \$85,000, which is a little less than 10% of the total cost for the project, will be placed on the February 10th regular meeting proposed consent agenda.

Combined Sewer Overflows (CSO's)- Added on Item

Mr. Mignone stated that the DEP has new regulations for the Borough's CSO's at Bluff Road and the Palisades pump station.

Mr. Cervieri asked if the Borough is being treated like New York City.

Messrs. Alter and Mignone did not totally concur that Fort Lee is being treated like New York City.

Mr. Mignone presented a proposal for a long-term control plan, a public participation work plan so that all affected parties know what CSO's are. The Passaic Sewer Authority has created a plan, but the Bergen County Utilities Authority (BCUA) has not done that yet. Each Bergen County municipality needs to have a separate plan until the time comes that the BCUA forms a regional plan. The \$25,000 that he is requesting would be if

there is no regional plan developed.

Mr. Sokolich asked how long it would take to cure violations.

Mr. Mignone reiterated that because there is a fast approaching deadline, he would like authorization to go forward. If a regional plan is developed, then the \$25,000 cost would be reduced.

Ms. Thomas added that the BCUA wants the sewer lines to be properly separated.

Mr. Mignone reminded everyone that the Borough did the first phase of separation only. The Borough still may have to treat storm water separately.

Mr. Mignone concurred with the Mayor and Council that it would be preferable to have a regional plan.

A resolution awarding a contract to begin preparation of the long-term control plan at a cost not to exceed \$25,000 will be placed on the February 10th or February 24th regular meeting proposed consent agenda.

Longswamp Property (Added on Item)

Mr. Villano asked Mr. Mignone what is happening at the Longswamp property.

Mr. Mignone replied that there have been no major flooding incidents since it was cleaned out. A long-term plan is still needed.

GENERAL DISCUSSION

Bergen County Meeting/Communications

Bernard Hart, Public Safety Director, was present for this portion of the meeting.

Mayor Alter stated that he met with Bergen County officials on January 25th with regard to Bergen County saving money for the Borough. Who was actually going to benefit became more clear as the meeting progressed.

Mr. Hart stated that he, along with Messrs. Alter and Villano met with County officials, including the Bergen County Public Safety Director and two consultants with whom the Borough

was familiar, and who had done work on the Borough's behalf at one time. Currently there are no radio frequencies available for the County that meet the FCC's narrow banding requirements. They are looking to use the frequencies that the Borough has. Alejandro Calderon, President of Concepts to Operations, the Borough's communications consultant, told Mr. Hart that the Borough should be very careful about letting anyone its frequencies. The Boroughs frequencies meet the FCC's narrow banding. Emil Vogel, a consultant, who previously helped the Borough get its frequencies, and who is now working for Bergen County, said he has changed his tune. He now believes the Borough would benefit by joining with the County. There would be a reduction in costs, but the Borough would have to sign over its rights to the frequencies.

Mr. Pohan asked how much load can the frequencies take.

Mr. Hart replied that the Borough has six frequencies and Bergen County has eight.

Mayor Alter added that the County is inviting other municipalities into the system.

Mr. Hart reiterated that if the Borough signs off on its frequencies, it losses control.

Mr. Sokolich stated that he would need to hear a better argument from the County before relinquishing control of the frequencies.

Mayor Alter stated that the frequencies support more than just the Police Department. Only twenty-two people can speak at the same time since there are very few trunks. On that issue alone, he would reject the County's offer. The Borough has an obligation to take care of the Borough's systems. He said that if the County gave the Borough six trunks that have priority over everyone else, he may consider the County's plan, but without that caveat, he would forget it.

Mr. Cervieri asked how much of a cost savings would there be for the Borough.

Mr. Hart replied that the County threw out a figure of \$2,500,000. It should be explored, but the Borough should control its own destiny. The County could use some of the Borough's frequencies, but the Borough could charge them for that privilege.

Mr. Pohan said that the total cost of the new communications system is upward from \$4,000,000 to \$4,500,000.

Mayor Alter projects that it will cost \$250,000 in annual costs to maintain the system. If the County were to make connections into the Borough's system, the Borough could charge them to maintain the system.

Mr. Hart reiterated that Mr. Calderon was very leery about guarding the Borough's frequencies. It would be better for the Borough in the long run.

Ms. Thomas stated that County and Borough needs are very different.

Mayor Alter said that since this is on a parallel path, talking to the County is not stopping anything the Borough is proposing.

Mr. Pohan stated that if someone could show the Mayor and Council that the Borough would have control and that the County could tap into the Borough's frequencies, then that would be something different to think about.

Borough-Wide Telephone System

Ms. Thomas stated that the installation for the new phone system will be done on February 14th or February 15th. It is expected that there will be some problems until the employees become acclimated to the new system.

Mr. Cervieri asked what is the cost for the new phone system.

Ms. Thomas replied that the cost is between \$85,000 and \$95,000.

Awarding Bid for Triple Combination Pumper for the Fire Department

Mr. Cohen stated that the first set of bid specifications were unduly restrictive and thus the original bid was rejected.

Mr. Cohen said that Pierce Manufacturing would withdraw the exception that was included in the first set of bid specifications; however, Pierce increased their bid by \$20,000 from the first bid that was rejected.

Mr. Cohen said that he spoke to them earlier today and told Pierce that they have acted in bad faith. Pierce's original correspondence indicated that they would raise the bid amount by \$20,000. Mr. Cohen believes that Pierce still has acted in bad

faith and is recommending that the bids be rejected. The Borough can then negotiate with Pierce or any other vendor because the bids will have been rejected twice.

Mr. Cohen to prepare a resolution rejecting Pierce's bid at the February 10th regular meeting.

Amending Site Plan and Zoning Ordinance - Off-Street Parking Requirements and Facilities

Mayor Alter stated that this is a terrible time to amend the off-street parking requirement while the Town & Country plan is being heard. He suggested that everything should be left as it is at this time, and wait until after the application is completed. It may come back to haunt the Borough if it made this change now.

Mr. Sokolich concurred with the Mayor.

Mr. Cervieri also agreed. He spoke to the area that the proposed ordinance was going to affect.

The Mayor and Council concurred that no action will be taken on this matter at this time.

Building Elevations for Main Street

No discussion. This item to be brought back for further discussion at the February 24th executive session.

Rebuilding Together Bergen County

Ms. Thomas stated that the Fort Lee Housing Authority is requesting to be given authorization to do construction work on a Sunday in April as part of the Rebuilding Together Bergen County program. Twenty homes in Bergen County will be repaired in one day.

Mr. Villano said that this is all volunteer labor, with the work being done in one day. It is a great project.

Ms. Thomas added that there is no latitude in the Borough's ordinance with regard to doing construction work on a Sunday.

The Mayor and Council concurred that the work should be allowed to go on.

Ms. Thomas to tell the Building Department. Mr. Villano to speak to Lillian Ciufu, Housing Authority Director.

Affordable Housing Fund

Mayor Alter stated that the Borough's Affordable Housing Trust Fund is based on all new construction except for one-family houses. A charge is incurred by the owner of the property and goes into an affordable housing trust fund.

Ms. Thomas stated that there is currently \$592,000 in the fund. Lillian Ciufu is looking to rehabilitate a multi-family building consisting of ten units. She is looking for \$650,000 from the Borough for a down payment to purchase the property.

Mayor Alter said this is the reason why the affordable housing trust fund was established.

Mr. Sokolich asked if the trust fund can be used for RCA's.

Mayor Alter responded affirmatively; however, the Borough has never done that before.

Mr. Cervieri said that Ms. Ciufu can get this project going for less than \$650,000. The more money the Housing Authority is allocated will help their cause to purchase the multi-family building; however, it is not an all-or-nothing proposition. He recommended offering her \$400,000 out of the trust fund.

The Mayor and Council concurred that \$400,000 should be taken out of the Affordable Housing Fund and be sent to the Housing Authority.

Planning Board Attorney

A resolution awarding a contract to Carolyn Kristal as Planning Board Attorney for 2005 will be placed on next week's regular meeting proposed consent agenda.

Board of Adjustment Attorney

A resolution awarding a contract to Dennis Oury as Board of Adjustment Attorney for 2005 will be placed on next week's regular meeting proposed consent agenda.

Bergen County Economic Development Corporation (BCEDC)

Ms. Thomas stated that the BCEDC is looking for an extension to their contract for construction management and construction inspection services for the new community center and open space park. This is for the extra time needed to finish the construction work at the site. They are asking for \$15,000 for construction management services and \$16,000 for construction inspection services.

A resolution amending the BCEDC's contract at a total cost of \$31,000 will be placed on next week's regular meeting proposed consent agenda.

Fort Lee Rotary Club

It was agreed that the Mayor and Council, Borough Administrator, Borough Clerk, Borough Attorney and Chief Financial Officer will take out a full page advertisement recognizing Nat Infurna as the Fort Lee Rotary Club "Man of the Year".

Contract/Resolution Center Avenue Overpass (Added on Item)

Ms. Thomas stated that the Port Authority is doing sidewalk work on the Center Avenue overpass. It will never be totally closed down as they do their work.

Mr. Cohen is working on a developer's agreement with the Port Authority and he will prepare a resolution for next week's regular meeting proposed consent agenda authorizing the agreement.

Mayor Alter asked Mr. Grant to check with Stephen Wielkocz, Health Officer, to find out why the Port Authority has completely disconnected the air monitoring sensor by the George Washington Bridge.

Property Tax Reform Convention (Added on Item)

It was agreed by the Mayor and Council that they will not support the recommendation of the New Jersey League of Municipalities for a property tax reform convention.

No formal action to be taken on this matter.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Ms. Gramuglia 502 Lewis Street	.Snow Shoveling/ Issues of Summonses by Building Dept.	Mr. Cervieri Mr. Sokolich Mayor Alter

There being no further discussion, the meeting was adjourned
**on motion by Councilman Villano, seconded by Councilwoman
Kasofsky, at 9:02 p.m.**

Neil Grant, RMC
Municipal Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 27, 2005 @ 7:50 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2005 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW
Buildings and Grounds
Administration
Borough Clerk

Municipal Court
Police Department
Building Department
Purchasing/Payroll
Senior Citizens' Department

Release of Closed Session Minutes January 6, 2005 -
Police Department Portion

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

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

GENERAL DISCUSSION

Bergen County Meeting/Communications

No discussion. This item to be discussed at the February 2nd executive session.

Emergency Repairs to Broken Pipes on Juanita Place

A resolution authorizing payment to Underground Video, South Hackensack, to video three broken pipes on Juanita Place at a cost of \$7,350 will be placed on tonight's regular meeting proposed consent agenda.

Borough-Wide Telephone System

No discussion. This item to be discussed at the February 2nd executive session.

Hiring of Hanoach Appraisal Company for Appraisal of Property at 2029 Center Avenue

A resolution awarding a contract to Hanoach Appraisals Company, Livingston, New Jersey, to appraise real property at 2029 Center Avenue at a cost of \$2,000 will be placed on tonight's regular meeting proposed consent agenda.

Purchase of Tactical Ballistic/Stab Vests for the Police Department

A resolution authorizing the purchase of seven tactical ballistic/stab vests from Ray's Sport Shop, Inc., Livingston, New Jersey for the Police Department at a cost of \$17,842.51 will be placed on tonight's regular meeting proposed consent agenda.

Building Elevations for Main Street

No discussion. This item to be discussed at the February 2nd executive session.

Rebuilding Together Bergen County

No discussion. This item to be discussed at the February 2nd executive session.

PUBLIC HEARING SCHEDULED FOR JANUARY 27, 2005

Ord. #2005-1--Amending Chapter 90, Section 2, - Police Department Formation and Rank

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 Councilman Cervieri, seconded by Councilman Villano,** at 9:00 p.m.

Neil Grant, RMC
Municipal Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 6, 2005 @ 8:15 p.m.

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

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Bernard Hart, Director of Public Safety

MAYOR'S STATEMENT

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

1. On January 2, 2005, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 3, 2005, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2004 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department

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

The open portion of the executive session began after a portion of the closed session was completed.

INTRODUCTION OF ORDINANCE

Ordinance #2005-1- Amending Chapter 90, Section 2, - Police Department Formation and Rank

Mr. Grant read the following ordinance in full for introduction:

AN ORDINANCE AMENDING CHAPTER 90, SECTION 2, OF THE BOROUGH OF FORT LEE CODE, ENTITLED "POLICE DEPARTMENT FORMATION AND RANK"

WHEREAS, the Mayor and Council desires to amend the Police Department Table of Organization,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AS FOLLOWS:

Section I. Chapter 90-2 of the Fort Lee Code, entitled "Police Department - Formation and Rank" be and is hereby amended as follows:

90-2A. The Police Department Table of Organization shall consist of the following positions:

- (1) Police Chief (2) Deputy Chief (0) Inspectors
- (5) Captains (9) Lieutenants (12) Sergeants
- (83) Police Officers

Section II. All other parts, portions or provisions of Chapter 90 of the Fort Lee Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

Section III. The terms and provisions hereof are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision of this Ordinance.

Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mr. Pohan stated that in closed session he was on the record as saying he was against moving the table of organization above

108 police officers.

Councilman Pohan offered a motion, seconded by Councilman Villano, to reduce the portion related to police officers listed in the table of organization from 83 to 79 which would reduce the total number of police officers in the entire department on the table of organization from 112 to 108.

The amendment to the ordinance was **defeated** on the following roll call:

AYES: Council Members Pohan, Villano

NAYS: Council Members Sokolich, Sargenti, Kasofsky, Cervieri

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2005-1 listed in its original format above, 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 27, 2005.**

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

GENERAL DISCUSSION

Ray Levy, Director of Economic Development, handed out to the Mayor and Council a proposed revision to the Borough's Zoning and Site Plan Ordinance regarding off-street parking requirements for the Main Street area. Mr. Levy believes the new ordinance will attract more retail business as it will be a less restrictive ordinance than is currently in place. It will reduce the number of off-street parking spaces needed from six to four for every 1000 square feet of retail space. Most communities are already using the 4 to 1,000 ratio. He mentioned the Borough and Town & Country plan to build 750 additional parking garage spaces around the Main Street area.

Mayor Alter asked if the Parking Authority was on board with the plan.

Mr. Cervieri said this ordinance is specific to certain areas, but eventually the new ordinance could be included in all other commercial areas of the Borough.

Mr. Levy concurred with Mr. Cervieri that the proposed reduction in parking spaces required could possibly lead to all

commercial areas of Fort Lee changing their parking space requirements.

Mayor Alter added that new commercial businesses are always asking the Planning Board for a parking waiver.

Mr. Sokolich believes that board members are being put in an unfair position when reviewing applications.

Mr. Villano stated that he would be inclined to move the ordinance down from four to three required parking spaces needed for every 1,000 square feet of retail space.

This item to be placed back on the January 27, 2005 executive meeting agenda for further review.

ENGINEERING DISCUSSION

Change Orders for APS Contractors - New Community Center

Ms. Thomas spoke to change order #4 regarding two new drainage inlets for improved drainage around the new community center. The cost for this work is \$15,112.12. Several months ago change order #1 was approved with no money allocated in the original change order. It has now been agreed that the contractor will be allowed thirty-three extra working days to complete the project. The cost for the extra days comes to \$53,412.45. Disputed time has not been addressed.

Mr. Cervieri mentioned that the new drainage inlets correlate with the curb line at the community center.

A resolution approving the change orders will be placed on next week's regular meeting proposed consent agenda.

GENERAL DISCUSSION

Aquarium/Swimming Pool

Mayor Alter stated that Mr. Sokolich has suggested that the aquarium at Riverhead, Long Island be looked at as a type of aquarium the Borough may be interested in building.

A-3529 Disability Pension Enhancement

Mayor Alter stated that the New Jersey League of Municipalities has opined that the above legislative bill would

be detrimental to municipalities.

A resolution concurring with the League of Municipalities opinion will be placed on the January 13th regular meeting proposed consent agenda.

Architectural Review Board

Mr. Sokolich stated that this issue is at a stalemate. He believes that something has to be drafted in way of an ordinance.

Mr. Levy replied that the main issue revolves around signs. One of the problems is enforcement due to manpower restrictions. Enhancing enforcement capabilities would be a logical first step. Economic Development is focusing on what people are bringing in the Planning Board and Board of Adjustment. He believes that things are starting to fit in better. He cited examples of permitted and non-permitted uses and how things can be made more difficult. He added that the Town & Country project will change what Fort Lee eventually looks like.

Mr. Villano stated that the sign ordinance is not enforced as it could be. Business people have a hard time understanding the Borough's sign ordinance.

Mr. Sokolich added that signage is not the entire problem. Facades and looks are just as important. He spoke to different towns' procedures regarding aesthetics that he has to deal with when he is making an application.

Mr. Cervieri stated that through Economic Development, funds can be made available to make changes. Grants and low interest loans will encourage existing owners to upgrade their properties. When properties involve changes of uses, things are more difficult.

Mr. Villano mentioned that criteria have to be written that are easily understandable to the business community, as well as the officials enforcing the law.

Mr. Cervieri mentioned that a number of establishments have been told to take down message board signs. Property owners were not aware that they were not supposed to be there. The Building Department has a limited supply of manpower.

Mayor Alter stated that the Boards do not know what the structures looked like previously.

Ms. Kasofsky stated that she took pictures of the Main

Street area last year.

Mr. Cervieri added that Bert Glaubinger, former Building Inspector, took pictures and downloaded them to a computer, but when the computer systems were changed over the photos have not been retrievable.

Ms. Thomas added that the Borough does have aerial photos. The local banks can get involved with the low-interest loan community reinvestment program.

Mr. Cervieri requested that a once-a-year portrait of Main Street be done.

Tsunami Relief Fund

Mr. Sokolich stated that he has formed a nonprofit organization relief fund, called "Fort Lee Cares". The fund has been set up by him personally and it is not a government organization. The Board of Directors consists of five volunteers. He has established a post office box and hopes to generate money for victims of the tsunami. He will make a public announcement at next week's regular meeting. He added that India does not accept public aid, only private aid.

Endorsing Grant Application to the NJ Department of the Treasury for the New Community Center

Ms. Thomas stated that a resolution endorsing the grant the Borough has already received for the new community center for \$215,000 will be placed on the January 13th regular meeting proposed consent agenda.

Chamber of Commerce 2005 Persons of the Year

It was agreed that the Mayor and Council, Borough Administrator, Borough Clerk, Chief Financial Officer and Borough Attorney will take out a \$400.00 full page advertisement honoring Joseph Skelley and George Tsoullis as the Greater Fort Lee Chamber of Commerce "Persons of the Year".

RESOLUTION

R-1 - Rescinding R-1 From December 16, 2004 Regular Meeting and Authorizing Settlement of Tax Appeal Litigation Entitled Follender, 1512 Palisade Avenue, Block 3203, Lot 4, Q:C015J, 4.132 and 4.133 vs. Borough of Fort Lee - \$65,000 Total Reduction

Mr. Cervieri recused himself from this matter.

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

WHEREAS, R-1 was approved by the governing body on December 16, 2004; and

WHEREAS, there was an error in the proposed settlement; and

WHEREAS, the Tax Appeals Attorney has corrected the error,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that R-1 approved December 16, 2004 shall be rescinded and the following resolution shall be approved in its place.

WHEREAS, David Follender is the owner of certain residential condominium premises located at 1512 Palisade Avenue, also known as Block 3203, Lot 4C015J, 4.132 and 4.133; and

WHEREAS, the property owner filed a tax appeal against the Borough of Fort Lee in a matter entitled Follender vs. Borough of Fort Lee, under Docket No. 7462-04; and

WHEREAS, settlement has been recommended by the Tax Appeal Attorney and the Borough's appraiser that the matter be settled at this time, and that such settlement is in the best interest of the Borough, and

WHEREAS, this settlement has been reached over the objection of the Tax Assessor,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Tax Appeal Attorney, be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Follender vs. Borough of Fort Lee, under Docket No. 7462-04 so that the 2004 assessment will be reduced from \$1,170,000 to \$1,105,000; and

BE IT FURTHER RESOLVED that the aforementioned settlement is predicated upon a waiver of any and all pre-judgement interest by the taxpayer.

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

AYES: Council Members Pohan, Sokolich, Villano, Sargenti, Kasofsky

ABSENT: Councilman Cervieri

PUBLIC PARTICIPATION

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

RESOLUTION FOR CLOSED SESSION

There being no further discussion, the open portion of the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, and approved **unanimously**, and the meeting reconvened back into closed session to discuss the following matters at 8:52 p.m. with no objections.

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

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

Personnel: Building Department
Communications Repair
Purchasing
Salary Reviews

Contracts: Concepts to Operations

Litigation: Borough of Fort Lee vs. Schier Associates

Tax Appeal Settlements

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

There being no further discussion in closed session, the meeting reconvened into open session and the meeting was adjourned **on motion by Councilman Villano, seconded by Councilman Pohan**, at 9:52 p.m.

Neil Grant, RMC
Municipal Clerk