

**EXECUTIVE SESSION**

**ACTING MAYOR AND COUNCIL**

**Thursday, December 6, 2007 @7:00 p.m.**

The Executive Session of the Acting 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:** Acting Mayor Kasofsky, Council Members Pohan, Sokolich, Villano, Sargenti, Cervieri

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

**ACTING MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 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 Acting Mayor and Council of the Borough of Fort Lee that:

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

Personnel: Recreation Department - Cheryl Westeyn,  
Recreation Director, in Attendance  
Community Center

Building Maintenance  
DPW  
EMT's  
Police Department

Contracts: Land Use, LLC (Urban Renewal Program)  
Assignment of DT Solar Contract

Interlocal Service Agreement: Welfare/Human Services  
w/Borough of Leonia

Litigation: Lozano et. al. vs. City of Hazleton

Lease Agreement for Property at 1311 Inwood Terrace

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

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

### **ENGINEERING DISCUSSION**

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

#### **Change Orders for the Road Improvement Project**

There was no discussion on this item.

#### **Proposal for Geotechnical Engineering for the Existing Masonry Wall at the Upper Yard of the DPW**

Mr. Mignone explained that CMX has submitted an engineering proposal with regard to the existing retaining wall at the upper yard of the DPW. This is for the possibility of having the Borough place its salt shed in that location. Analysis will include what repairs might be needed for the retaining wall including the ability to withstand additional loading.

A resolution awarding a contract to CMX, formally Schoor DePalma to submit an analysis of the situation at a cost of \$10,500 will be placed on the December 13h regular meeting proposed consent agenda.

**Use of New Tax Maps for 2008**

Mr. Mignone stated that the Borough will be using new tax maps commencing on January 1, 2008.

Mr. Iannaconi stated that he will be sending out notices to everyone affected by the change.

Ms. Thomas added that the change will be difficult but it's mandatory.

Mr. Cervieri asked if the tax maps will be available.

Mr. Grant replied that Kevin Hartley, Tax Assessor, has them available in his office for anyone wishing to make copies or to review them.

**GENERAL DISCUSSION**

**Reorganization Meeting Date/Meeting Dates for 2008**

It was agreed that the Reorganization Meeting will be held on January 3, 2008 at 6:00 p.m.

Conversation ensued whether to have one or two televised meetings monthly.

At this point in time the meeting dates for 2008 have not been set.

Mr. Grant will send out the required legal notice for the reorganization meeting.

**Bids for Extended Warranties for 2007 Ford Police Vehicles**

Ms. Thomas stated that only one bid from Winner Ford was received. The extended warranties cost for twelve vehicles would be \$22,700 plus \$100 per vehicle for any vehicle over 12,000 miles. The Borough will be purchasing e extended warranties for new police vehicles at the time of purchase from this point forward.

**Bids for New Prisoner Transport Van**

Ms. Thomas stated that the old prisoner van is 15 years old.

Mr. Goldberg stated that there is less of a need for a prisoner van as majority of the work between the judges and the defendants is done on closed circuit television.

Ms. Thomas replied that the prisoner van is still used frequently to transport prisoners from one jurisdiction to another. She added that the money for the van will be paid out of the Police Department's confiscated funds account.

A resolution awarding a bid to Winner Ford to purchase a new prisoner transport van at a cost of \$44,348 will be placed on the December 13<sup>th</sup> regular meeting proposed consent agenda.

### **Bids for Three (3) 2007 Ford Explorer SUV's**

Ms. Thomas stated that this bid represents the purchase of two SUV's for the Police Department and one SUV for the Fire Department.

The bids for these three vehicles were received on December 5<sup>th</sup>. The bids have not yet been reviewed for compliance.

### **Borough Website**

Mr. Sokolich spoke to the use of blogs on the Borough's Website.

Mr. Iannaconi stated that this had been done in the Borough of Edgewater and the results have not been good.

It was agreed by the Acting Mayor/Council/Borough Administrator and Borough Clerk that the Borough's Website is a bit antiquated and should be updated.

Mr. Cervieri suggested opening up this item for bid.

### **Municipal Court Renovations**

Ms. Thomas stated that the architect's report for the estimated cost to make the court renovations is \$211,000.

Mr. Cervieri added that the architect stated that there should be an additional 10% in soft costs expected for the project.

**Recording Equipment Proposal for Council Chambers**

Mr. Grant stated that the Borough will be purchasing new digital recording equipment for the Council Chambers. The technology will make it easier to record, listen back and make access easier for anyone wishing a copy of a public hearing whether is be from the Board of Adjustment, Planning Board, Mayor and Council meeting or Municipal Court matter.

**Signage for the Jack Alter Fort Lee Community Center**

Ms. Thomas stated that the cost estimate to place the signage in honor of Jack Alter is approximately \$69,000. She recommended that this item be placed out to bid.

A resolution authorizing the purchasing consultant to advertise for bids for this item will be placed on the December 13<sup>th</sup> regular meeting proposed consent agenda.

**Scanning of Documents**

Mr. Grant stated that he is one of approximately seven Bergen County municipalities that is involved in a pilot program to be able to scan certain documents. This will give him the ability to have certain election documents scanned to Bergen County without physically traveling to Hackensack.

Acting Mayor Kasofsky left at this point in the meeting at 9:05 p.m.

Mr. Cervieri chaired the remainder of the meeting.

**Liquor License Transfer: Joonha Associates Inc. to Musso Café Inc. at 799 Abbott Boulevard**

Mr. Grant stated that a person-to-person liquor license transfer from Joonha Associates to Musso Café will be placed on the December 13<sup>th</sup> regular meeting proposed consent agenda. The Police Department has reviewed the application and have no objections to the transfer.

Mr. Grant added that he still must receive the New Jersey State tax clearance certificate before he will place it on next week's agenda.

**Additional Naming of Federspiel Street in Honor of William T. Birch**

Mr. Cervieri requested that Federspiel Street be named in the honor of William T. Birch. It would be consistent with the naming of Peppard Way in that Federspiel Street would have an honorary sign in the memory of William T. Birch, a Fort Lee Police officer, who was killed in the line of duty in the 1960's and who resided in that area.

**Purchase of Enhanced 9-1-1 System for the Police Department**

A resolution authorizing the purchase of a 3-Position Vesta Pallas 9-1-1 System for the Police Department via state contract from Verizon Select Services, Inc., at a cost of \$303,620 will be placed on the December 13<sup>th</sup> regular meeting proposed consent agenda.

Ms. Thomas stated that the Borough is receiving a \$300,000 State grant for the project.

**Additional Advisory Committee for the Disabled (ADA) Member**

Ms. Thomas stated that the ADA Board has requested that John P. Herrion, Esq., be appointed to the Board. He would become legal advisor to the board.

Mr. Grant stated that the Borough's ordinance would have to be amended if Mr. Herrion is appointed to the Board.

**RESOLUTIONS**

**R-1 - Authorizing the Issuance of Requests for Qualifications for 2007 for Professional Services for the Borough of Fort Lee for Legal, Financial, Engineering, Health, Computer and Risk Management Services**

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

**A RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES TO THE BOROUGH OF FORT LEE FOR LEGAL, FINANCIAL, ENGINEERING, HEALTH, COMPUTER AND RISK MANAGEMENT SERVICES**

WHEREAS, as of January 1, 2006, N.J.S.A 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, enacted by **Executive Session**

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the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said municipality's political parties or to any candidate's committee of any person serving in an elective public office of the said municipality when such a contract was awarded, unless said business entity is awarded a contract under a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the "RFQ") with ten (10) calendar days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Fort Lee (hereinafter the "Borough") to engage legal, financial and engineering professionals and the Borough desires to appoint such professionals by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that requests for RFQs for professional services for the following professional services for the Borough and its agencies are hereby authorized:

1. Borough Attorney
2. Labor Attorney
3. Borough Auditor
4. Bond Counsel
5. Borough Engineer
6. Building Department/Fire Prevention Bureau Accountant
7. Municipal Court/Police Department Accountant/Office of Economic Development Accountant
8. Tax Counsel
- 9 . Special Economic Development Counsel
10. Special Engineer Re: Development and Redevelopment
11. Borough Risk Manager

12. Planner for the Office of Economic Development
13. Traffic Engineer
14. Computer Consultant and Information Technology Advisor
15. Purchasing Consultant

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16. Special/Conflict Counsel
17. Borough Planner

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all such RFQs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough or Borough Agency; (4) and any other factors if demonstrated to be in the best interest of the Borough or Borough Agency.

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

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

**ABSENT: Acting Mayor Kasofsky**

**R-2 - Emergency Contract for the Police Department's Wang Computer System**

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

**A RESOLUTION OF THE ACTING MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AWARDING AN EMERGENCY CONTRACT FOR THE PROCUREMENT OF A NEW WANG VS SUPPORT PLATFORM FOR USE IN OPERATIONS BY THE POLICE DEPARTMENT**

WHEREAS, there exists an emergency condition that potentially threatens the health, safety, and welfare of citizens of the Borough of Fort Lee ("Borough"); and

WHEREAS, the Acting Mayor and Council of the Borough are desirous of awarding a contract for the provision and installation of a new Wang VS Support Platform for use in operations at the Borough Police Department; and

WHEREAS, on two prior occasions, the Borough publicly solicited bids for the provision and installation of a new Wang VS Support Platform, and on both occasions did not receive any bids;

and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically N.J.S.A. 40 A:11-6, provides that an **Executive Session**

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emergency contract may be negotiated or awarded without public advertising for bids and bidding, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety, or welfare requires the immediate performance of services; and

WHEREAS, N.J.S.A. 40 A:11-6 establishes a procedure for the award of an emergency contract that requires a written notification as to the need for the performance of the contract, the nature of the emergency, the time of its occurrence and the need to award an emergent contract; and

WHEREAS, the Borough's Administrator received a written notification from the Police Department as to the need for new hardware and software for the existing system that has resulted in the inaccessibility of more than ten years worth of Police Department data, and authorized the procurement of proposals from companies selected based upon their expertise in this area and having previously performed services for the Borough in the past to the Borough's satisfaction; and

WHEREAS, pursuant to the Local Public Contracts Law, the Borough has declared an emergency and solicited quotations for the provision and installation of a new Wang VS Support Platform for use in operations at the Borough Police Department on an emergent basis (the "Work"); and

WHEREAS, in response to the emergent solicitation, Trans Virtual Systems ("Contractor") submitted a proposal, which is attached hereto as Exhibit A and incorporated herein by reference, to the Borough to provide the required Work in accordance with the terms and conditions set for the in a contract to be executed by the parties; and

WHEREAS, the Contractor is engaged in the business of performing such Work and has demonstrated its competency from time to time with respect to other contract services for the Borough; and

WHEREAS, the Acting Mayor and Council, after evaluation of the proposal submitted pursuant to the emergent solicitation, have determined that the Contractor is competent and qualified to perform the Work and that the Contractor's proposal represents the lowest cost to the Borough for the requisite Work, and has decided to award an emergent contract to the Contractor; and

WHEREAS, the award of an emergency contract to the Contractor

is necessary for the protection of the health, safety, and welfare of the public and for the Borough's efficient operations,

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

1. That Trans Virtual Systems be and is hereby awarded a contract in the amount of **\$50,067.00** based upon having submitted the lowest, responsible estimate for the provision and installation of a new Wang VS Support Platform for use in operations at the Borough Police Department.

2. That the Acting Mayor be and is hereby authorized to execute an agreement with Trans Virtual Systems in accordance with its estimate.

3. That notice of the contract award be published in accordance with the provisions N.J.S.A. 40A:11-1 et seq.

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certificate of Availability of Funds is on file with the Borough Clerk, indicating that funds are available for this contract through the Borough's 2007 Capital Account, for the provision and installation of a new Wang VS Support Platform for use in operations at the Borough Police Department; and

BE IT FURTHER RESOLVED that the original bid proposal and contract be made available in the Borough Clerk's Office.

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

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

**ABSENT: Acting Mayor Kasofsky**

**R-3 - Authorizing the Hiring of Renato Guglielmo, Deborah Anides and Jennifer as School Crossing Guards**

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

BE IT RESOLVED by the Governing Body of the Borough of Fort Lee that the following be appointed as **school crossing guards** in the Borough of Fort Lee without authority to carry a firearm effective December 6, 2007.

Renato Guglielmo  
302 Mohegan Way

Fort Lee, New Jersey 07024

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Deborah Anides  
1275 Inwood Terrace  
Fort Lee, New Jersey 07024

Jennifer Huang  
410 Park Place #2D  
Fort Lee, New Jersey 07024

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

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

**ABSENT: Acting Mayor Kasofsky**

**R-4 - Authorizing the Hiring of Ronald Maialetti, Jeremy Slagle,  
Susan Reycraft and Michael Tonsey as Part-Time Emergency Medical  
Technicians - \$15.82 Hourly**

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

WHEREAS, there are Emergency Medical Technician vacancies in  
the Fort Lee Ambulance Corps and the Mayor and Council have  
determined that this vacancy should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Acting Mayor and  
Council of the Borough of Fort Lee, that **Ronald Maialetti, Susan  
Reycraft, Jeremy Slagle** and **Michael Tosney** be hired as part-time  
Emergency Medical Technicians with the Fort Lee Ambulance Corps,  
effective immediately; and

BE IT FURTHER RESOLVED that these appointments be provisional  
pending certification from the New Jersey Department of Personnel.  
This position shall be at the wage of **\$15.82 per hour**, not to  
exceed 19.5 hours per week.

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

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

**ABSENT: Acting Mayor Kasofsky**

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 13, 2007

Ord. #2007-51--Amending Chapter 388, Sections 14 and 69  
- Handicapped Parking Space at 1066 Edgewood Lane

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Ord. #2007-52--Capital Ordinance for Improvements to  
the Borough's 9-1-1 Telephone System - \$300,000 State  
Grant

Ord. #2007-53--Amending Salary Ordinance #2007-6 for  
Department Heads et al. - Superintendent of  
Recreation/Coordinator of Public Events

Ord. #2007-54--Amending Chapter 261, Land Use  
Ordinance, Appendix B: Fees and Escrow Funds

PUBLIC PARTICIPATION

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

There being no further discussion the meeting was adjourned  
**on motion by Councilman Villano, seconded by Councilman Sargenti,**  
at 9:11 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**ACTING MAYOR AND COUNCIL**

**Thursday, November 1, 2007 @7:00 p.m.**

The Executive Session of the Acting 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:** Acting Mayor Kasofsky, Council Members Pohan, Sokolich, Villano, Sargenti, Cervieri

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

**ACTING MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 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 Acting 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: Public Buildings and Grounds  
Senior Citizens  
Police Department - School Crossing Guards

Litigation: Surace vs. Borough of Fort Lee

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Tax Appeal Litigation: Bridge Plaza Associates @ 1  
Bridge Plaza North

Zaca LLC @ 1350 15<sup>th</sup> Street

2. The minutes of the discussion in closed session may be disclosed to the public when the Acting 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

#### Re-Advertised Bids for the New Wang VS Support Platform for the Police Department

Ms. Thomas stated that no bids were received for the aforementioned bid. Bids have been called for twice with no responses. The Borough may now enter into a contract for the services it needs for support of the Police Department's computer system.

Mr. Sokolich asked if the money for the project can come out of confiscated funds.

Ms. Thomas stated that the anticipated cost of the equipment is about \$40,000. The Borough will be using confiscated funds for its new radio system. There are set guidelines for the use of confiscated funds which the Bergen County Prosecutor's Office and Ms. Thomas have to sign off on before they can be used.

#### ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting and gave a brief overview of the following items.

#### Road Improvements on Summitt Avenue/Lewis Street/Ellery Avenue

Mr. Mignone stated that there are just a few punch list items that have to be completed. There are no more outstanding complaints from the residents. He has received some positive

feedback with the look of the new curbs.

Also discussed were drainage issues north of Bridge Plaza North between Center Avenue and Fort Lee High School.

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**Eleventh Street Flooding (Longswamp) - Added on Item)**

Ms. Thomas stated that Tarragon, a property owner in Palisades Park, has signed off so that the Borough can proceed with applying for permits which will allow for soil testings in the Longswamp property. The Borough can now apply to the New Jersey Department of Environmental Protection to get the acquired permits to do the soil testing.

Mr. Mignone added that the permits will take anywhere from 60 to 90 days before the Borough receives them. The Borough of Palisade Park has indicated to him that there are flooding issues in the area that are affecting their residents.

Mr. Sokolich stated that the Borough of Palisades Park should share some of the Borough's expenses with regard to solutions to the flooding on 10<sup>th</sup> and 11<sup>th</sup> streets as well as to the potential dredging of the Longswamp.

**Amending Contract for Dynamic Productions**

Ms. Thomas stated that there are approximately \$10,000 in outstanding bills with Dynamic Productions who installed the Borough's theatrical equipment at the Fort Lee Community Center.

Mr. Pohan stated that Dynamic Productions was paid to run the equipment during the music and movie series this summer at the Community Center. That expense will be eliminated next year. He asked Ms. Thomas how much the Borough's paid Dynamic Productions over the summer to operate the theatrical equipment.

**New Towing Regulation Law, A-4053**

Ms. Thomas stated that the Police Department had been in the midst of reviewing the Borough's towing ordinance before the new State law was put into effect. Certain portions of the Borough's ordinance will probably have to be altered to be in accordance with the States new towing laws.

Mr. Cervieri asked what other towns charge for towing services.

Ms. Thomas replied that Roy Bortolus, Police Captain, is looking into what other towns charge.

### **Amendment to Chapter 261, Appendix B, Fees & Escrow Funds - Land Use Ordinance**

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Ms. Thomas stated that Ray Levy, Director of Economic Development and Joseph Andresini requested certain amendments be made to the Borough's Land Use Ordinance with regard to application and escrow fees, specifically court reporter appearance fees, interpretation and/or appeal of Zoning Officer's decision and planner deposits.

Mr. Cohen's office has prepared an ordinance for introduction for the November 8<sup>th</sup> regular meeting.

Conversation ensued with regard to the Borough immediately obtaining new recording equipment that will avail itself to more modern technology, i.e. digital recording and web-casting.

### **Extending Borough's Leaf Removal Services Contract**

Mr. Grant explained that the Borough will be extending its leaf removal contract with Miele Sanitation by 5% for 2007-2008 increasing it to \$6.71 per cubic yard. The original contract was for three years which allowed for two one-year extensions. This is the last extension allowed under the contract. This service will have to go out to bid next year.

A resolution authorizing the extension of the Borough's leaf removal service contract with Miele will be placed on next week's regular meeting proposed consent agenda.

### **Handicapped Parking Space at 1066 Edgewood Lane**

An ordinance placing a handicapped parking space at 1066 Edgewood Lane will be introduced at the November 8<sup>th</sup> regular meeting.

The request for the handicapped parking space has been reviewed and approved by the Police Department.

### **Advertising for Bids for a Skateboard Park**

Ms. Thomas stated that the Borough is looking to move forward with regard to building a skateboard park in the south end of the

Borough. Any monies for the park will be wrapped into next year's capital ordinance. The Borough of Leonia has just submitted an open space application with Bergen County indicating a cost of just under \$250,000 for their skateboard park.

Mr. Pohan asked if the Borough's joint insurance fund (JIF) prohibits skateboard parks.

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Mr. Sokolich replied that the JIF has very clear and concise rules on how a skateboard park has to be built, but if the rules are followed insurance coverage will be provided.

Mr. Grant stated that the Borough will be able to apply for an open space 50-50 matching grant next year with Bergen County for its skateboard park.

A resolution authorizing the Borough to prepare specifications and advertise for bids for a skateboard park will be placed on the November 8<sup>th</sup> regular meeting proposed consent agenda.

### **Regulation of Private Bus Lines**

Mr. Sokolich stated that the private jitney buses are in horrible condition and some of them have provocative advertising displayed.

Ms. Thomas and Mr. Cohen both replied that the buses are allowed under interstate commerce laws.

Mr. Cervieri stated that the buses provide something that New Jersey Transit does not, but he believes further regulating the buses is not the issue, just that better enforcement by the Police Department is needed.

Ms. Thomas will speak to the Police Department to make sure that the jitney buses stop at only the regulated New Jersey Transit bus stops throughout the Borough.

### **Guardian Service Industries (Added On Item)**

Ms. Thomas stated that Guardian Service Industries, the Borough's cleaning service for the Police Department and Fort Lee Community Center, has not been performing the work required under their contract. The Borough has been in contact with J.S. Stephen the 2<sup>nd</sup> lowest bidder for the job to see if they can replace Guardian.

Ms. Thomas has been working with the Borough Attorney's office to see if J.S. Stephen can replace Guardian. Guardians three-year contract runs through July 2009.

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**PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 8, 2007**

Ord. #2007-49--Abolishing Chapter 99, the Civilian Position of the Director of Public Safety  
Ord. #2007-50--Amending Chapter 90, Section 2, Police Department Table of Organization

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Surace Litigation	Mr. Cohen
James Viola 147 Cedar Street	.Korean War Memorial Ceremony on Abbott Boulevard on 11/03/07	
Harvey Sohmer Glen Road	.Digital Recording System/ Update of Sound System	Mr. Cervieri

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

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

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3. On October 1, 2007, a copy of said change in meeting date and time was mailed to those listed in number two (2) above and such notice was also posted on the public bulletin board where such notices are placed in the Memorial Municipal Building by the Borough Clerk.

**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 Acting 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:

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Personnel: Building Department  
Community Center  
Police Department

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

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

**ENGINEERING DISCUSSION**

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

**Engineer's Report**

Mr. Mignone stated that the Main Street road improvement project is now under way on the north side of Main Street and east side of Hudson Terrace. A new entrance way is being established into the Palisades Interstate Parkway (PIP). New storm sewers are being built, along with having two-way traffic back on Hudson Terrace is one of the main objectives of the project.

Mr. Cervieri asked about utility issues.

Mr. Villano asked about Bigler Street.

Mr. Mignone stated that sewers, water and fiber optics are part of the temporary easements needed from Town & Country to keep the tollbooths running. Bigler Street will be permanently closed at the north side of Central Avenue to Hudson Terrace. It's anticipated that the Port Authority will begin construction for its new ramp from the PIP to the lower level of the bridge next fall. Town & Country Developers are required to have its utilities placed underground with regard to the Centuria project.

Mr. Sokolich spoke about JD's and In Napoli's parking lots.

MS. Thomas stated that there are some tenants in Campo's property.

Mr. Cohen stated that the tenant's have certain rights under the State's Relocation Act.

Mr. Mignone stated that the construction work on Summitt Avenue, Ellery Avenue, Lewis Street and Edwin Avenue has been completed except for a few punch list items.

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Mr. Mignone added that the State Department of Transportation (DOT) is going to put in a new sidewalk on Route 5 along the south side between Arcadian Way and Palisade Avenue at no cost to the Borough. This will fill in the gap in that area so that there will be a contiguous sidewalk.

The DOT is also to going add a sidewall on Route 5 by Glen Road past Bluff Road to Deerwood Road at no cost to the Borough.

Mr. Mignone added that the Borough's pedestrian count down timers are starting to be installed.

#### **GENERAL DISCUSSION**

#### **Wreckers & Towing Ordinance**

Ms. Thomas stated that she circulated the recommendations made by one of the Borough's towing operator and forwarded it to the Fort Lee Police Traffic Department's traffic addition to check on its reasonableness.

#### **Endorsing Bergen County Community Development Block Grant for Various Blighted Streets**

A resolution endorsing a Bergen County Community Development block grant application for various blighted streets by 10<sup>th</sup> and, 11<sup>th</sup> Street, along with improvements to the sidewalks at the Fort Lee Recreation Department in the amount of \$100,000 will be placed on tonight' regular meeting proposed consent agenda.

#### **Re-advertising of Bids for the Police Department's New Wang VS Support Platform**

A resolution authorizing the re-advertising of bids for the Police Department's New Wang VS Support Platform will be placed on tonight's regular meeting proposed consent agenda.

#### **Liquor License Renewals for Brinker New Jersey Inc. and Mac-On**

## Inc. (Pocket Licenses)

Mr. Grant stated that the above licenses needed special rulings from the State Alcoholic Beverage Control in order to be considered for approval by the governing body. These are licenses that have been inactive for more than two years.

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A resolution authorizing the liquor license renewals for the above licenses will be placed on tonight's regular meeting proposed consent agenda.

### PUBLIC HEARINGS SCHEDULED FOR OCTOBER 11, 2007

Ord. #2007-45--Amending Chapter 388, Section 43, Schedule I, No Parking Along the East Side and Portions of the West Side of Ellery Avenue  
Ord. #2007-46--Amending Salary Ordinance #2006-47 for Certain Non-Union Employees (Schedule C) for 2007-2009  
Ord. #2007-47--Bond Ordinance for the Provision and Installation of Solar Panels on the Fort Lee Community Center, Police Station and Department of Public Works Building #2 - \$1,550,000  
Ord. #2007-48--Amending Chapter 289, Section 15, Parking Meter Zones Established; Violations and Penalties - Nine Hour Parking Meters to be Installed on the West Side of Inwood Terrace from Anderson Avenue to Edsall Boulevard  
Ord. #2007-49--Abolishing Chapter 99, the Civilian Position of the Director of Public Safety

Mr. Grant stated that Ordinance #2007-49 will have to be postponed until October 25<sup>th</sup> because the ordinance was not published within the legal time frame to be heard tonight.

Mr. Pohan asked about the Police Committee within the ordinance.

Mr. Cohen replied that the wording is consistent to the document and basically refers to the governing body's police liaison.

### 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 Villano, seconded by Councilman Cervieri,** at 7:55 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**ACTING MAYOR AND COUNCIL**

**Thursday, September 27, 2007 @7:00 p.m.**

The Executive Session of the Acting 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:** Acting Mayor Kasofsky, Council Members Pohan, Sokolich, Villano, Sargenti

**ABSENT:** Councilman Cervieri

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

**ACTING MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

BE IT RESOLVED by the Acting 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/Traffic Control Officers -  
Chief Ripoli to Attend

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Public Safety Director

Fort Lee Community Center

Parking Authority Enforcement Officer

Tax Exemption for Property on Cumbermeade Road -  
Property Owned by The Government of the Republic of  
Madagascar

\_\_\_\_\_ Tax Appeal Litigation Settlement: Slumber Inc. vs.  
Borough of Fort Lee

Revised Personnel Policies and Procedure Manual of  
the Borough of Fort Lee

2. The minutes of the discussion in closed session may be disclosed to the public when the Acting 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**

#### **Awarding Bid for Solar Panels to Certain Municipal Buildings/ Bonding for Project**

Ms. Thomas stated that the Borough will be awarding the bid for solar panels to Turner Renewable Energy, LLC at a cost of \$1,415,614 at tonight's regular meeting. A bond ordinance of 1,550,000 will also be introduced tonight. The Borough will be receiving \$654,300 in grants for the project.

#### **No Parking Along the East Side and Portions of the West Side of Ellery Avenue**

An ordinance prohibiting no parking on the east side and portions of the west side of Ellery Avenue as requested by the Police Department will be placed for introduction at tonight's

regular meeting.

### **Advertising for Bids for a New Fire Truck**

Mr Sokolich stated that he along with Ms. Thomas have met with the Port Authority to try to secure some funding for a new fire truck for the Borough. A second meeting with the Port

**Executive Session**

**September 27, 2007**

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Authority will be taking place in the next week or two.

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to prepare bid specifications and advertise for bids for a new foam pumper will be placed on tonight's regular meeting proposed consent agenda.

### **Advertising for Bids for the Lease of Borough Property in the Municipal Parking Lot**

Ms. Thomas stated that a minimum price has to be set. These are the parking spaces that the Borough owns and that the Plaza Diner has leased at a cost of \$1,800 annually for the last ten years.

Mr. Pohan asked what is the Borough receiving per space in the Municipal Parking Lot.

After a brief conversation it was agreed that the Borough would request a minimum of \$2,000 annually for the leased parking spaces.

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids for the lease of Borough property in the municipal parking lot will be placed on tonight's regular meeting proposed consent agenda.

### **Issuance of Limousine License to Koreana Transport Services, Inc. at 1605 John Street**

A resolution authorizing the issuance of a limousine owners license to Koreana Transport Services, Inc., with the parking of any limousines at 1605 John Street as approved by the Police Department will be placed on tonight's regular meeting proposed consent agenda.

### **Authorizing the Sale of Surplus Borough Property Through Online Auctioning**

A resolution authorizing the sale of surplus Borough property through online auctioning will be placed on tonight's regular meeting proposed consent agenda.

Once Mr. Grant advertises the sale of the online auction, Property Room.com will pickup the various surplus property and handle the actual online auction.

**Executive Session**

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**Amending Meter Zones at Inwood Terrace by Edsall Boulevard**

An ordinance authorizing the installation of nine hour meters on the west side of Inwood Terrace from Anderson Avenue to Edsall Boulevard from 8:00 a.m. to midnight, excluding Sundays and holidays as requested by the Parking Authority will be placed on tonight's meeting for introduction.

**Fort Lee Community Center Events (Added on Item)**

Mr. Villano stated that the Parking Authority charges people to pay for parking who are holding events at the community center. He believes that this is not a good idea.

Ms. Thomas replied that she has spoken to Kay Nest, Parking Authority Chairwoman, about the charges and that she will speak to her again about the possibility of the Parking Authority changing their policy with regard to events being held at the community center that are sponsored by the Borough.

**PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 27, 2007**

Ord. #2007-42--Amending Chapter 388, Sections 14 and 69 - Handicapped Parking Spaces Near Main Entrance Driveway Exit of 2200 North Central Road and Along the East Curb Line of Morningside Lane

Ord. #2007-43--Amending Chapter 388, Section 43, Schedule I, No Parking on Portions of Lane East and West Sides of Morningside Lane

Ord. #2007-44--Amending Salary Ordinance #2006-46 for White Collar Employees for Principal Clerk Typist, Bilingual in Spanish and English, Inventory Control Clerk, Senior Citizen Aid and Building Service Worker

**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 Sargenti, seconded by Councilman Sokolich,** at 7:47: p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**ACTING MAYOR AND COUNCIL**

**Thursday, September 6, 2007 @7:00 p.m.**

The Executive Session of the Acting 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:** Acting Mayor Kasofsky, Council Members Pohan, Sokolich, Villano, Sargenti, Cervieri

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

**ACTING MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Municipal Court  
Recreation Department Seasonal Employees  
Traffic Control Officers

**Executive Session**

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Contract: MA-Com (Borough-Wide Radio Communications System)

2. The minutes of the discussion in closed session may be disclosed to the public when the Acting 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**

#### **Local Aid Application for Improvements to Stillwell Avenue to be Submitted by Boswell McClave**

Ms. Thomas stated that road improvements, drainage and resurfacing of Stillwell Avenue are part of the Borough's local aid application. The Borough is continuing to work on drainage issues for the residents on tenth and eleventh streets. The long-term goal is to have the Longswamp dredged and the material removed; however, there are private property owners in Palisades Park that have to give the Borough permission to get onto the site before the Borough can do any work.

Mr. Cervieri requested that Ed Mignone, Borough Engineer, attend the executive sessions of the governing body when there are engineering items on the agenda.

Ms. Thomas to relay the information to Mr. Mignone.

A resolution authorizing Boswell McClave Engineering to make application to the New Jersey Department of Transportation for a municipal aid application for improvements to Stillwell Avenue at a cost of \$1,000 will be placed on tonight's regular meeting proposed consent agenda.

#### **Purchase of Count Down Pedestrian LED Timers**

A resolution authorizing the Borough to purchase 120 count

down timers from Signal Control Products, Branchburg, New Jersey through state contract at a cost of \$40,512 will be placed on tonight's regular meeting proposed consent agenda.

The Borough will be using its own employees to install the timers at various intersections throughout the Borough as recommended by the Police Department. Each intersection requires the placement of four to eight timers.

**Executive Session**

**September 6, 2007**

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**GENERAL DISCUSSION**

**Renaming of Fort Lee Community Center**

Ms. Kasofsky stated that she would like to rename the Fort Lee Community Center to the Jack Alter Community Center.

The rest of the governing body concurred with her sentiments.

It was agreed that an event would be held sometime in late November to commemorate the renaming of the Fort Lee Community Center to the Jack Alter Community Center.

Mr. Pohan suggested that Dean Marchetto, the Borough's architect for the community center, create a sign that will fit in with the community center's motif.

Ms. Thomas will reach out to Mr. Marchetto with regard to the sign as well as to begin to formulate the plans for the renaming of the community center.

**BLM Holding Corp. Lease Agreement for Parking Spaces at the Plaza Diner**

Mr. Grant stated that the Borough's lease agreement for the lease of municipal property in the municipal parking lot with BLM Holding Corp., expires at the end of the year. The Borough has been receiving \$1,800 per year, payable in \$450 quarterly installments for the last five years. It is a biddable item.

Messrs. Cervieri and Pohan spoke to other property in the municipal parking lot that the Borough may be able to lease out in addition to the area Mr. Grant spoke about.

Mr. Cervieri asked that Mr. Mignone check out the potential properties for leasing.

**Advertising for Rebid for Extended Warranties for 2007 Ford Police Vehicles**

Ms. Thomas stated that the extended warranties are for police vehicles. The standard warranty is for three years, thirty-six thousand miles. The extended warranty would be good for five years and sixty-thousand miles.

She added that when the Borough purchases vehicles now, it requests the extended warranty package.

**Executive Session**

**September 6, 2007**

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Mr. Grant stated that only one bidder picked up a bid package for the project. If no bids are received a second time the Borough can negotiate with a vendor to purchase an extended warranty package.

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to re-advertise for bids for the extended warranty package will be placed on tonight's regular meeting proposed consent agenda.

#### **Replacement of Fire Apparatus**

Messrs. Sargenti and Sokolich spoke to the replacement of the Fire Department's 1994 foam unit pumper. It gets called in for all emergencies. The foam pumper supplements other equipment and is used for emergencies at the George Washington Bridge and other local areas where emergencies occur. The Port Authority is buying their own pumper in the near future. A new pumper for the Borough would have a larger capacity to store foam with less water. There would be no rust on the internal parts with a new pumper. The current pumper requires a lot of maintenance because of its age. It has become somewhat antiquated. Messrs. Sargenti and Sokolich thought this seems like the right time to approach the Port Authority to see what they could contribute to replace the Borough's pumper.

Mr. Sokolich stated that he would like to attend any meeting with the Port Authority that could be arranged.

Mr. Cervieri suggested that the government relations person from the Port Authority be present at the meeting.

It was agreed that Messrs. Sokolich, Sargenti and Ms. Thomas would attend any meetings with the Port Authority with regard to the replacement of the Borough's foam pumper.

Mr. Cervieri asked that other communities be checked out to see what their costs were for this kind of pumper.

#### **Advertising of Bids for Payment of Taxes Via The Internet**

Ms. Thomas stated that Joseph Iannaconi, Chief Financial Officer, has requested that residents be able to pay their taxes if they so choose through the Internet.

Ms. Thomas and Mr. Cohen concurred that it is a biddable item.

**Executive Session**

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Mr. Sokolich stated that if residents decide to pay their taxes through the Internet, the money will get to the Borough quicker.

Ms. Thomas added that until bids are received the cost to the Borough is unknown.

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids for the payment of taxes via the Internet will be placed on tonight's regular meeting proposed consent agenda.

#### **Abandonment of Fire Co. #4 Liquor License**

A resolution authorizing the abandonment of Fire Co. #4's liquor license as requested in writing by Fire Co. #4 will be placed on tonight's regular meeting proposed consent agenda.

#### **Handicapped Parking Spaces by 2200 North Central Road and Morningside Lane**

An ordinance creating handicapped parking spaces by the driveway entrance of 2200 North Central Road and on Morningside Lane as requested by residents in those areas and approved by the Police Department will be placed for introduction at tonight's regular meeting.

#### **Liquor License Transfers From 1550 Lemoine Avenue Enterprises Corp., to Zenex Enterprises Inc. and J.D. Salthouse Associates, LLC., to Marlin 102, Inc.**

Resolutions for person-to-person liquor license transfers for the above listed entities and approved to by the Police Department will be placed on tonight's regular meeting proposed consent agenda.

Ord. #2007-37--Amending Salary Ordinance #2006-46 for White Collar Employees - Creating Title, Salary and Salary Range for the Position of Assistant Control Person

**Executive Session**

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Ord. #2007-38--Amending Chapter 388, Section 63, Schedule XVII, "Lane Use Reservations" - No Right Turn on US Routes 1&9 North at North Avenue and Christie Lane Between the Hours of 7:00 a.m. to 9:00 a.m. Weekdays or as Otherwise Posted

Ord. #2007-39--Amending Chapter 388, Section 58, Schedule XIV, "No Left Turn" at William Street Onto Main Street Between the Hours of 7:00 a.m. and 9:00 a.m. Weekdays or as Otherwise Posted

Ord. #2007-40--Amending Chapter 388, Section 64, Schedule XVII, "Crosswalks" - Amending Crosswalk Locations at Horizon Road North and South and Establishing a Mid Block Cross-Walk at 319 Main Street

Ord. #2007-41--Amending Chapter 388, Sections 14 and 69 - Handicapped Parking Space Near 328 Bridge Plaza North

**PUBLIC PARTICIPATION**

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

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 7:52: p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, August 16, 2007 @12:00 Noon**

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  
Lou Flora, Esq., the Law Office of Dennis Oury, with Regard to Economic Development Issues

**MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

BE IT RESOLVED by the Mayor and Council of the Borough of

Fort Lee that:

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

Personnel: Borough Clerk's Office  
Municipal Court  
Senior Citizens  
Clean Communities

**Executive Session**

**August 16, 2007**

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Police Department Emergency Notifications

Designating Redeveloper for Redevelopment Area 3  
(Opposite Former Metropolitan Plant Exchange)

Litigation: P.T.K., LLC vs. Borough of Fort Lee

Tax Appeal: Barouk Realty, Inc. vs. Borough of Fort Lee

Contracts: Boswell McClave - Road Improvement Project  
Ney Associates - Road Improvement Project

Property Tax Exemption for Disabled Veteran (N.J.S.A.  
54:4-3.30)

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**

#### **Authorizing Memorandum of Agreement for Construction of Affordable Housing on Main Street**

Mr. Sokolich recused himself on this matter.

Ms. Thomas stated that this is 60 units for Fred Daibes to eventually to build on.

A resolution authorizing a memorandum of agreement for construction of affordable housing on Main Street as prepared by the law office of Dennis Oury will be placed on tonight's regular meeting proposed consent agenda.

#### **Proposal for Relocation of Utilities by PSE&G for Main Street Road**

## Improvement Project

Mr. Levy stated that the relocation of the utilities will begin sometime next week. It's being done as part of the road improvement project for Main Street and Hudson Terrace.

Ed Mignone, Assistant Engineer for the Borough, explained where the road widening is going to be done on Main Street.

A resolution authorizing the expenditure of funds for the  
**Executive Session**

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relocation of electric facilities on Main Street and Hudson Terrace by PSE&G as part of the provision of roadway and traffic signal improvements on Main Street and Hudson Terrace at a cost of \$243,131.99 will be placed on tonight's regular meeting proposed consent agenda.

## Authorizing the Borough to Enter Into Right of Entry Agreements With The Palisades Interstate Park Commission for the Main Street and Hudson Terrace Roadway and Traffic Signal Improvement Project

Mr. Flora stated that the Borough can authorize tonight entry agreements with the Palisade Interstate Parkway (PIP) Commission. A deed of easement is going to be executed between the Borough of Edgewater and Bergen County so as to flip certain property to the (PIP) Commission for consideration so that the Borough can move forward with its Main Street and Hudson Terrace Road traffic signal improvement project. Presently, the PIP owns certain lands that have a 99 year lease on it. Without the entry agreement the Borough could not move forward with the roadway improvement project.

A resolution authorizing the Borough to enter into right of entry agreements with the PIP Commission will be placed on tonight's regular meeting proposed consent agenda.

## Proposal for Consulting Services on Maintenance of High Density Housing in Fort Lee

Mr. Levy stated that the Borough has received a proposal from Peter Abeles, Land Use, LLC., so that the Borough can investigate the feasibility of possibility for some buildings to convert from cooperatives to condominiums.

A resolution awarding a contract to Land Use, LLC., New York, New York, for professional consulting services with regard to the Borough's high density housing at a fee not to exceed \$6,000 will be placed on tonight's regular meeting proposed consent agenda.

**Proposal for H2M Group for an Environmental Assessment for  
Property Located at 1311 Inwood Terrace**

Mr. Levy stated that the Borough intends to buy the property at 1311 Inwood Terrace which it is currently leasing. A phase 1 environmental study is required if the Borough intends to purchase the property.

**Executive Session**

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A resolution awarding a contract to H2M Associates, Inc., Totowa, New Jersey to prepare an environmental assessment for property being leased to the Borough at 1311 Inwood Terrace at cost of \$3,450 will be placed on tonight's regular meeting proposed consent agenda.

**Main Street Cleanliness**

Mr. Sokolich spoke to the ordinance that was previously adopted with regard to facade improvements on Main Street for commercial owners. He is tired of talking about Main Street in its present condition. Main Street has been lost to the Borough for many years. The Borough has not done enough to re-energize it.

Messrs. Pohan and Cervieri stated that neither the Planning Board or Zoning Board of Adjustment has had an application for facade improvements to Main Street since the Borough adopted its ordinance.

Mayor Alter stated that the public doesn't understand that the Borough can pass a law quickly but everything can be grandfathered. The Borough has to lure owners to get them to do what the Borough believes are in their and the town's best interests.

Mr. Levy said that when Centuria is built it will raise the value of Main Street.

Mr. Sokolich replied that Centuria will either rejuvenate or make Main Street useless. He believes that waiting for the Centuria project to start and be completed is not in the best interests for Main Street.

Mr. Cervieri said that private property rights are involved. If an economic incentive is given to those owners to amend their buildings such as creating extra floor space or changing the Borough's floor area ratio ordinance, then maybe they will make the improvements that the Borough believes they should be doing now.

Mayor Alter added that more parking is needed, but he concurred with Mr. Cervieri that money tends to move people to make changes.

Mr. Villano stated that the Borough has a plan for Main Street, but it is dirty. People are waiting for the Borough to help them.

**Executive Session**

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Mr. Sokolich asked what is the potential for incentives.

Mayor Alter asked Mr. Levy to investigate the possibility of additional height standards for Main Street, compliance with the current architectural plan and a modest assessment for parking.

Mr. Pohan asked Ms. Thomas to re-circulate Dennis Oury's letter from October 2005 which spoke about changes the Borough could make to improve Main Street.

Mayor Alter asked Ms. Thomas to put out an memo with regard to enforcing the laws the Borough has in place presently on Main Street.

**Interlocal Services Agreement With Leonia - (Public Assistance)**

Jillian Raimondo, Director of Human Services, was present for this portion of the meeting.

Mayor Alter stated that the recently expired agreement was unfair to the Borough of Fort Lee.

Ms. Raimondo stated that her budget is \$110,000 which includes one other employee.

Ms. Thomas stated that the Borough is only receiving \$8,500 a year from the Borough of Leonia.

Mr. Raimondo spoke about how Leonia wanted to hire her separately but because she was an employee for Fort Lee she was uncomfortable. An Interlocal agreements was agreed upon by both Leonia and Fort Lee. Leonia at the time was ready to merge their services with Bergen County. She added that Interlocal agreements are looked upon favorably by the State. She concluded by stating that the number of welfare cases in both Leonia and Fort Lee have fallen recently.

Mayor Alter suggested that Leonia should pay Fort Lee based

on a percentage of Leonia's population as compared to Fort Lee's population. Leonia's population is close to 9,000 residents.

Mr. Cervieri calculated the fee that Leonia would have to pay Fort Lee would be approximately \$26,000 per year.

Mayor Alter asked Ms. Thomas to reach out to Leonia and suggested that Leonia pay its proportionate share. He further stated that the high caliber of work Leonia is getting from Fort Lee that they are truly getting a bargain for the services that the Borough is providing to them.

**Executive Session**

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### **Municipal Court Office Renovations**

Mayor Alter asked if the municipal court is in favor of the renovations.

Mr. Cervieri replied affirmatively. The Borough is looking to sign off on the final design plan so the Borough can solicit prices for the renovations.

Ms. Thomas to get a status report and cost estimate and bring it back to the governing body for further discussion.

### **Amendment/Adoption of 2007 Municipal Budget**

A resolution amending and adopting the Borough's 2007 municipal budget as prepared by the Borough's Auditor will be placed on tonight's regular meeting.

### **Mid-Block Crosswalk at 319 Main Street**

An ordinance establishing a mid-block crosswalk at 319 Main Street as requested by Bergen County will be placed for introduction at tonight's regular meeting.

### **Endorsing Various Bergen County Community Development Grant Applications for the Housing Authority**

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

### **Bergen County Grant Agreement for Improvements to William T. Birch Park**

A resolution entering into a grant agreement to accept \$100,000 (50-50 match) from Bergen County for improvements to William T. Birch Park will be placed on tonight's regular meeting proposed consent agenda.

**Endorsing Bergen County Community Development Block Grant for Improvements to Constitution Park**

A resolution endorsing a Bergen County Community Development block grant application for improvements to Constitution Park will be placed on tonight's regular meeting proposed consent agenda.

**Executive Session**

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**South Bergen Joint Insurance Fund (JIF) Renewal Membership**

Mayor Alter stated that the Borough joining the South Bergen JIF was one of the best things it ever did. It has greatly reduced the Borough's insurance costs over the years.

A resolution renewing the Borough's membership into the South Bergen Joint Insurance Fund will be placed on tonight's regular meeting proposed consent agenda.

**Advertising for Bids for Various Item for the Police Department and General Services**

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids for a new Wang VS support platform and a prisoner transport van for the Police Department and a F-350 Mason dump truck for General Services will be placed on tonight's regular meeting proposed consent agenda.

**Purchase of a 4x4 2007 Ford Expedition for Emergency Management Via Bergen County Coop #11-BeCCP**

Mr. Sargenti stated that the current Emergency Management vehicle is old.

Ms. Thomas added that the old vehicle will be auctioned off.

A resolution authorizing the purchase of a 4x4 Ford Expedition for Emergency Management through the Bergen County Cooperative (State Contract) at a cost of \$26,848 will be placed on tonight's regular meeting proposed consent agenda.

**Supporting Remedial Legislation to Authorize a Library CAP Exception**

Mr. Iannaconi stated that the tax levy can only legally increase by 4% next year. The allocation that the Borough gives to the library will increase by 15% next year; therefore, if there is no CAP exception exempted for library funding, the money would have to be raised by the Borough through taxation.

Mayor Alter stated that the following terms sometimes get confused by the public: expenses, the amount to be raised by taxation and the actual municipal tax rate.

A resolution supporting remedial legislation to authorize a library CAP exception will be placed on tonight's regular meeting proposed consent agenda.

**Executive Session**

**August 16, 2007**

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Mr. Grant will distribute certified copies of the supporting resolution to Governor Corzine, District 38 Legislators and the League of Municipalities.

**Liquor License Transfers for Brown Wine Bar, LLC., and Joseph Kerr (Inactive Status)**

A resolution approving a person-to-person liquor license transfer from Mac-Spo Inc., to Brown Wine Bar, LLC located at 124 Main Street will be placed on tonight's regular meeting proposed consent agenda with an effective date of September 7, 2007 as agreed upon by both attorney's for the liquor license transfer.

Mr. Grant added that a person-to-person liquor license transfer from Simis Inc. (inactive status) will be transferred to Joseph Kerr once Mr. Kerr receives tax clearance from the New Jersey Division of Taxation.

Both transfers have been reviewed by the Police Department who voiced no objections to the transfers.

**Handicapped Parking Space Near 328 Bridge Plaza North**

An ordinance creating a handicapped parking space near 328 Bridge Plaza North will be placed for introduction at tonight's regular meeting.

The Police Department reviewed the request and recommended that a handicapped parking space be placed at the location.

**Approving Developers Agreement for Rinaldi Realty, LLC., 1073 Palisade Avenue**

A resolution approving a developers agreement for Rinaldi Realty, at 1073 will be placed on tonight's regular meeting proposed consent agenda.

The resolution was prepared by Marc Ramundo, Esq., for the Borough in this matter.

**Scheduling of Street Fair for June 1, 2008**

It was agreed that next year's street fair would be held on Sunday, June 1, 2008.

**Executive Session**

**August 16, 2007**

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**PUBLIC HEARINGS SCHEDULED FOR AUGUST 16, 2007**

- Ord. #2007-33--Amending Chapter 388, Section 43, Schedule I, "No Parking" - East Side of Briar Way 128 Feet of the South Curb Line of Bridle Way
- Ord. #2007-34--Rescinding Chapter 370, Article II, Parking Sales Tax - Ordinance #2006-58 Originally Adopted December 14, 2006 - Repealed by P.L. 2007, c. 105, Repealing the Imposition of the State Sales Tax on Municipal Parking
- Ord. #2007-35--An Ordinance Amending Chapter 410 "Zoning" R-6A Age-Restricted Apartment Residential Zone to Modify the Use and Bulk Regulations
- Ord. #2007-36--An Ordinance to Grant the County of Bergen Easements Across Land Owned by the Borough of Fort Lee to Facilitate the Widening of Main Street

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Mr. Jung 2169 Lemoine Ave.	.Planning Board Resolution w/Regard to Property at the GWB Plaza Mall	Mr. Cohen

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti, and seconded by Councilman Villano, at 2:00 p.m.**

Neil Grant, RMC  
Borough Clerk

**RESOLUTION FOR CLOSED SESSION**

On motion by Councilman Cervieri, 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:

**Executive Session**

**August 16, 2007**

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Department of Community Affairs/Interlocal  
Agreement

There being no further discussion, the meeting reconvened into open session and was adjourned on motion by Councilwoman Kasofsky, and seconded by Councilman Sargenti, at 2:00 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, July 19, 2007 @12:00 Noon**

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  
Kasofsky, Sargenti, (Arrived at 2:20 p.m.)  
Cervieri

**ABSENT:** Councilman Sokolich

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

**MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 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:

**Executive Session**

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Personnel: Borough Clerk's Office  
Building Department  
Community Center  
Police Department  
Tax Collector's Office

Litigation: Borough of Edgewater vs. Borough of Fort Lee and State of New Jersey DOT

PTK LLC. vs. Borough of Fort Lee

Property Acquisition: Main Street and Hudson Terrace Road Widening Project

Main Street Affordable Housing Project/Redevelopment Area #3 - Redevelopment Agreement with Pennrose Properties

Redevelopment Area 4 (Block 5902, Lots 17 and 18)

Contracts: Concepts to Operations for Wireless Radio Communications Network

Property Room.Com

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**

## Various Traffic Ordinances - Chief Ripoli in Attendance

Police Captains Roy Bortolus and Steve Hervey and Police Officer Kevin Mahon were also in attendance for this portion of the meeting.

Chief Ripoli distributed a Fort Lee police traffic survey.

Mayor Alter spoke about the traffic volume in and around town and stated that he wants a resolution prepared about the large amounts of traffic congestion and the cost to the Fort Lee taxpayers and he wants the resolution once enacted sent to Bergen County.

## **Executive Session**

**July 19, 2007**

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Ms. Thomas spoke about the traffic congestion and gridlock on William Street that leads onto Main Street during the peak traffic hours.

Mr. Villano stated that if the traffic on Bergen Boulevard were better controlled, it might eliminate some of the Borough's traffic on its side streets.

Captain Hervey stated that one of the Police Department's goals is to keep non-Fort Lee residents off its side streets and on the highways.

Mr. Cervieri spoke about the large amount of traffic on the Palisades Interstate Parkway. He recommended that Joseph Marinello, Esq., be involved with this traffic issue.

Mayor Alter suggested that the police traffic survey and recommendations be broadcast widely, and to have the appropriate agencies make recommendation about ways to reduce traffic in the Borough. He added that approximately twenty years ago a major traffic study was undertaken in the Borough. He believes it is time for another study.

## **Veteran's Square - Requests for Improvements by VFW Post #2342 and Statue in Monument Park - Commander James Viola in Attendance**

Kay Nest, Tom Meyers, Lou Azzollini, Nelson Page and Margaret Hart were present for this portion of the meeting.

Mr. Viola presented drawings he is proposing for aesthetic improvements at VFW Post #2342 on Center Avenue/Main Street. He is looking for approval to go ahead with his plans from the governing body.

Mr. Cervieri inquired if the configuration is the same as it currently stands.

Mr. Viola stated that the sidewalk space will remain the same but three parking spaces would have to be eliminated.

Mr. Cervieri inquired if the sidewalk in front of the VFW entrance would be wheelchair accessible and conform to ADA requirements.

Mr. Viola stated all ADA standards will be met.

Mr. Pohan stated that when looking at the drawings, the flowers appear to be planted on the sidewalk, taking away from sidewalk space.

**Executive Session**

**July 19, 2007**

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Mr. Cervieri reported that in East Hampton, New York there are flower boxes rather than flowers planted in the ground.

Mr. Viola stated that it would be very nice, but he is afraid that people would use the flower boxes as ashtrays.

Ms. Thomas inquired where the flag poles will be placed.

Mr. Azzollini spoke to the placement of the flag poles and added that he designed the drawings. He also spoke about the placement of the bricks, flowers and brick pavers.

Mr. Cervieri inquired if a sign could be placed on the VFW building rather than on the street. He was also concerned about the loss of the three metered sparking spaces.

Mr. Viola invited Mr. Cervieri to accompany him on a walking tour of the site and to view the proposed plans in person.

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Mr. Meyers stated that the Borough's Historic Committee et al. is proposing to have a statue of Thomas Paine erected in Monument Park. He submitted a cost/payment schedule that is broken down into three payments.

Mr. Meyers added that the project is time sensitive and the first payment (down payment) of \$50,000 is due upon the signing of the contract by September 1<sup>st</sup>. He added that funding for the project is needed.

Mr. Viola stated that he hopes to raise the money from donations and a fund raising drive. He added that the committee is trying to enhance and promote the rich history of Fort Lee.

Mayor Alter stated that he was in favor of the Thomas Paine statue.

### **Accepting 2006 Auditor's Report**

Mayor Alter reported that after reading the 2006 auditor's recommendations and comments he contacted the Borough Auditor. He added that all of the auditor's recommendations must be followed.

Ms. Thomas stated she would have appreciated if Mayor Alter had spoken to her, the governing body and/or senior management with regard to the auditor's report.

**Executive Session**

**July 19, 2007**

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### **Real Estate/Open House Signage**

Mayor Alter stated that realtor Nancy Zaslowe requested a meeting to discuss adopting an ordinance to set guidelines for open house signage.

Mr. Cervieri replied that such an ordinance would be a restriction of the first amendment.

Ms. Kasofsky noted that she has seen open house signs up for months at a time.

Mayor Alter requested that Mr. Cohen draw up an ordinance setting guidelines for the signage.

### **Student Interns**

Mr. Cervieri stated that last year interns were paid a stipend of \$5.00 per hour up to \$100.000 per week. Some of the interns left last year because of the low wage.

Ms. Thomas added that the hourly rate should be negotiable, but not less than \$7.50 per hour.

### **Bid Discussion for In-Car Mobile Camera System for the Police Department**

Mayor Alter stated that forty-five police vehicles will be provided with an in-car camera system.

Mr. Cohen stated that the lowest bidder did not submit all the required documents at the time of the bid.

Mayor Alter said that Captain Hervey has recommended that the bid be award to the second lowest bidder L-3 Communications Mobile-Vision, Inc., Boonton, New Jersey at a cost of \$318,459.50.

Mr. Cohen confirmed that L-3 should be awarded the bid as their bid was fully compliant.

A resolution awarding the bid to L-3 will be placed on tonight's regular meeting proposed consent agenda.

### **Municipal Alliance Committee**

A resolution authorizing the execution of an application for the Municipal Alliance Committee and allocating the Borough's

**Executive Session**

**July 19, 2007**

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share of \$4,700, which is a 25% match of the total application, will be placed on tonight's regular meeting proposed consent agenda.

### **Approving Saint Rocco Italian American Mutual Aid Society Festival - August 1st through August 5<sup>th</sup>**

Mr. Cervieri inquired if anyone knew why the festival is scheduled so early this year.

A resolution approving the Saint Rocco festival will be placed on tonight's regular meeting proposed consent agenda.

### **Amend No Parking Ordinance Along East Side of Briar Way**

The Parking Authority is recommending that the Borough amend its no parking regulations along the east side of Briar Way, south of the curb line of Bridle Way

An ordinance agreeing to the Parking Authority's recommendations as agreed upon by the Police Department's traffic division will be introduced at tonight's regular meeting.

### **Endorsing Drunk Driving Enforcement Grant for the Police Department**

A resolution endorsing a 2007 drunk driving enforcement

grant for the Police Department from the New Jersey Division of Highway Traffic Safety in the amount of \$5,000 will be placed on tonight's regular meeting proposed consent agenda.

### **Rescinding Chapter 370, Article II, Parking Sales Tax**

An ordinance rescinding the Borough's parking sales tax will be introduced at tonight's regular meeting. The State has repealed the imposition of the State sales tax on municipal parking and the Borough is just following the procedures to repeal its current ordinance.

Mr. Sargenti arrived at this point in the meeting at 2:20 p.m.

**Executive Session**

**July 19, 2007**

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### **Authorizing the Purchase of Thirty Five Defibrillators and Corresponding Supplies for the Police Department**

A resolution authorizing the purchase of various defibrillators and supporting equipment for the Police Department from Life Savers, Inc., Fairfield, New Jersey at a cost of \$31,915.94 (confiscated funds account) will be placed on tonight's regular meeting proposed consent agenda.

### **Abandonment of Club Liquor Licenses**

Mr. Cervieri asked why the VFW Post #2342 liquor license is going to be abandoned.

Mr. Cohen replied that according to the State Alcoholic and Beverage Control, their club license was being used property and as such, is not needed.

### **Auctioning of Borough Vehicles**

A resolution authorizing the auctioning of Borough vehicles through Bergen County will be placed on tonight's regular meeting proposed consent agenda

### **Board of Health Appointment**

Mayor Alter will nominate Monica Cho to fill an expired term through 2007 as a Board of Health member at tonight's regular meeting.

**PUBLIC HEARINGS SCHEDULED FOR JULY 19, 2007**

Ord. #2007-27--Amending Chapter 388, Sections 14 and 69  
- Handicapped Parking Space in Front of the North  
Curb Line of Prospect Street

Ord. #2007-28--Amending Chapter 193, Section 2, Uniform  
Construction Code Fees - Schedules A-D

Ord. #2007-29--Amending Chapter 261, Land Use  
Procedures, Article VIII, Parking Improvement Program  
Developer Contribution to Special Fund in Lieu of  
Installation of Off-Street Parking Spaces

Ord. #2007-30--Bond Ordinance for Various Capital  
Improvements - \$2,110,000

**Executive Session**

**July 19, 2007**

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Ord. #2007-31--Amending Bond Ordinance #'s 2004-27 and  
2006-36 Providing for the Acquisition of Real Property  
at 95 Main Street, Block 4802, Lots 2-4 - \$800,000  
Additional Appropriation - Total Sum \$3,450,000

Ord. #2007-32--Amending Bond Ordinance #2006-39  
Providing for the Acquisition of Real Property at 2005  
Hoyt Street, Block 4802, Lots 2-3, - \$400,000  
Additional Appropriation - Total Sum \$2,800,000

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Mr. Jung 2175 Lemoine Ave.	.Indemnification of Governing Body Members and Borough Employees	Mr. Cohen Ms. Thomas

There being no further discussion the meeting was adjourned  
**on motion by Councilman Sargenti, seconded by Councilman Cervieri,**  
at 2:32 p.m.

Sharon Scheiner,  
Assistant Borough Clerk

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, June 28, 2007 @7:00 p.m.**

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

**PRESENT:** Mayor 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 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Municipal Court  
Clean Communities  
Police Department/Recruits

**Executive Session**

**June 28, 2007**

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Contracts: Concepts to Operations for Wireless Radio  
Communications Network

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**

Frank Rossi and Kristen Hayes, Boswell McClave Engineering representatives, were present for this portion of the meeting.

**Status of Sewer Repairs at Eleventh Street/Stillwell Avenue**

Mr. Sokolich stated after receiving a series of phone calls from residents in the Eleventh Street/Stillwell Avenue area he thought it was best to discuss the status of the sewer repairs and/or things that need to be accomplished to remediate the ongoing flooding problems in that area. He is aware that the Borough has been waiting for consent from the New Jersey Department of Environmental Protection (DEP) to go into the Longswamp area and remove the debris. The sewers on Eleventh Street after the last rainfall were filled up with garbage and debris. He's looking to cure this problem once and for all. He also believes that the new playing surface at the middle school is contributing to the problem.

Ms. Thomas stated that the Department of Public Works clean the sewers out in that area after every rainfall.

Mr. Pohan mentioned that the ongoing problem has been the Longswamp. Ed Mignone, Borough Engineer, for the Borough has been involved with this situation for some time.

Mr. Rossi said that there is an accumulation of sediment. The soil takes the place of water and the water has no place to go. The soil can be excavated out of the swamp at a cost.

Mayor Alter asked if the Borough has jurisdiction from the DEP to go into the Longswamp.

Mr. Rossi replied that the jurisdiction of the Longswamp is in the Borough of Palisades Park. Some, but not all of the property owners within the Longswamp area in Palisades Park have signed off on the consent forms that the Borough of Fort Lee is submitting to the DEP. The property owners were sent letters

**Executive Session**

**June 28, 2007**

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that indicated to them that the governing body of Fort Lee was going to make application to the DEP for permits to potentially dredge the Longswamp area.

Mr. Cervieri spoke about the new Trio buildings in Palisades Park which are contributing to the problems in the Longswamp.

Mayor Alter asked how much it would cost to dredge the Longswamp.

Mr. Rossi replied that there is approximately 36,000 yards of material in the Longswamp and it would cost anywhere from \$300,000 to \$500,000 to dispose of the material.

Mayor Alter stated that he is not prepared to spend that kind of money. He wants Mr. Cohen to look into the problem.

Mr. Cervieri asked if Bergen County is going to help with the problem.

Mr. Rossi replied that Bergen County will excavate the area but they will not dispose of the material that is dredged. The material can be staged in the Longswamp. The dryer the material stays the more material can be removed at one time at a lesser cost.

Ms. Thomas stated that the Borough needs to get the permits. Without the permits the work can never be done. Who pays for it can always be decided upon later.

Ms. Hayes said that the cost of getting the permits is not

significant in terms of the whole scope of the project.

Mayor Alter stated that getting the permits could weaken the Borough's position if there is litigation.

Ms. Thomas mentioned that Ed Mignone will be back next week.

Mr. Sokolich stated that the continued pursuit of the permits should not be a big problem. The Borough does not have to use the permits, but without the permits the Borough cannot even address the problem.

Mr. Cohen stated that the receipt of the permits obligates the Borough in accordance with the plan submitted.

Mr. Rossi added that the permits can expire without ever being used.

#### **Executive Session**

**June 28, 2007**

**Page #4**

Mr. Cervieri stated that the Borough can get the permits and then request a special assessment be charged to the Borough of Palisade Park.

Mr. Cohen replied that the permits are not assignable.

#### **Extension of Asphalt Milling Service Contract With Tilcon, New York, Inc.**

A resolution agreeing to extend the Borough's asphalt milling service contract with Tilcon, New York, Inc., for an additional one (1) year will be placed on the July 19<sup>th</sup> regular meeting proposed consent agenda. The extension is based on the current Consumer Price Index Rate of (3.50%), thus Tilcon's contract price will be increased to \$2.25 per square yard for any asphalt milling it does for the Borough within the next year.

#### **GENERAL DISCUSSION**

##### **Constitution Park**

This item was discussed in closed session.

##### **Property Tax Exemption on Dwelling on House of a Disabled Veteran (N.J.S.A. 54:4-3.30)**

This item was discussed in closed session.

## **Amending Land Use Ordinance**

An ordinance amending the Borough's Land Use Procedures, Article VIII, the parking improvement program developer contribution to a special fund in lieu of installation of off-street parking spaces will be introduced at tonight's regular meeting.

## **Bergen County Community Development Appointment**

Mayor Alter stated that due to the recent death of Julia Ticola, he will be appointing Mr. Grant as his grant representative for Bergen County Community Development.

**Executive Session**

**June 28, 2007**

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## **Emergency Repairs to Borough Hall**

A resolution awarding a contract to Watertrol Inc. to make emergency repairs to the Borough Hall front facade at a cost of \$14,800 will be placed on tonight's regular meeting proposed consent agenda.

## **Parking Improvement Fees - Dedicated Trust by Rider for Collection and Deposit of Fees**

Mr. Cohen stated that the Borough's parking in lieu of program has been in effect for a while but it has never been activated. He is bringing it up to date so that fees can be collected by the Borough and placed in a dedicated trust fund.

A resolution requesting approval from the Director of the Division of Local Government Services to establish a dedicated trust by rider for collection and deposit of parking improvement fees assessed by the Board of Adjustment, Planning Board and/or Borough Council will be placed on tonight's regular meeting proposed consent agenda.

Mayor Alter said that the ordinance that was in place was not properly utilized. At this point in time there should have been a lot of money collected.

Mr. Pohan asked who was supposed to collect the funds.

Mr. Cervieri stated that applicants who were given variances

depending on the type of variance granted by either the Planning Board and/or Board of Adjustment money were supposed to be paying money to the Borough that would be used for the Borough to create parking. The Board's actions in many cases were not put into the memorializing resolutions approved by the Boards. He added that certificates of occupancy were issued in many cases but no monies were ever collected.

Mr. Cohen replied that he is trying to make the ordinance being introduced tonight as retroactive to when the original ordinance was adopted.

Mayor Alter concurred with Mr. Cervieri that many resolutions passed by the Boards were defective in their language.

### **Handicapped Parking Space for a Resident at 2356 Lemoine Avenue**

An ordinance to create a handicapped parking space on the

**Executive Session**

**June 28, 2007**

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north curb line of Prospect Street for a resident who resides at 2356 Lemoine Avenue will be introduced at tonight's regular meeting.

Mr. Grant stated that the Police Department investigated the situation for the resident and concurred that the creation of a handicapped parking space was in order.

### **Liquor License Renewals for 2007/2008**

A resolution authorizing the renewal of liquor licenses for 2007/2008 will be placed on tonight's regular meeting proposed consent agenda.

Mr. Grant added that a number of licensees have not received tax clearance from the New Jersey Division of Taxation and that their licenses will not be renewed tonight.

On questioning from Mr. Villano, Mr. Cohen stated that a decision on the transfer of Hangar Inc. liquor license to PTK, LLC will be reached by the New Jersey Division of Alcoholic Beverage Control on July 19th.

### **Capital Ordinance/Amending Bond Ordinances**

Three bond ordinances including the Borough's capital ordinance will be introduced at tonight's regular meeting.

Ms. Thomas stated that two of the ordinances are for

additional funding related to property acquisitions at 95 Main Street and 2005 Hoyt Street.

### **Real Estate/Open House Signage Regulations**

Mayor Alter stated that he was visited by the manager of Weichert Realtors. She requested that the Borough have an ordinance put in place that addresses open house signage and permit fees related to the signage.

Mayor Alter requested that Mr. Cohen look into drafting an ordinance. This item was placed back by the Mayor for further discussion at the July 19<sup>th</sup> executive session.

Mr. Cervieri noted that a summons was given to Weichert Realtors because the signage they placed at the bottom of Slocum Way had traffic going in the wrong direction off of Palisade Avenue.

**Executive Session**

**June 28, 2007**

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### **PUBLIC HEARINGS SCHEDULED FOR JUNE 28, 2007**

Ord. #2007-22--Amending Chapter 388, Section 57,  
Schedule XIII, to Include a Bus Stop Along Route 63  
(Bergen Boulevard) on the Southbound Westerly Side  
Between Madeline Lane and East Oakdene Avenue

Ord. #2007-23--Amending Chapter 388, Section 57,  
Schedule XIII, to Include a Bus Stop Along Martha  
Washington Way, Southbound, on the Westerly Thereof at  
Bridge Plaza South - (Far Side)

Ord. #2007-24--for the Acquisition of Real Property and  
Improvements by Purchase and/or Condemnation for  
Designated Redevelopment Area 6 Located at 2169 Route  
4 East, Block 5402, Lots 1-4, 15

Ord. #2007-25--Amending Chapter 261, Appendix (A), Land  
Use Procedures, Checklist for Development Applications

Ord. #2007-26--Authorizing the Borough to Enter Into a  
Lease Agreement for General Office Space and Storage  
at 1311 Inwood Terrace

### **PUBLIC PARTICIPATION**

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

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti, seconded by Councilman Sokolich,** at 8:00 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, June 7, 2007 @7:00 p.m.**

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

**PRESENT:** Mayor Alter, Council Members Pohan, Sokolich, Villano, (Left at 8:00 p.m.) Kasofsky, Cervieri

**ABSENT:** Councilman Sargenti

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

**MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 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: Police Department - Chief Ripoli in Attendance

**Executive Session**

**June 7, 2007**

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Police Department - Vacant Civilian Position and Summer Help  
Municipal Court  
Summer Help - Economic Development/Payroll & Clean Communities/Tax Assessor  
Parking Authority Enforcement Officer  
Recreation Department Seasonal Employees

Potential Litigation: Redevelopers Agreement for Area 6 - Ray Levy and Lou Flora, Esq., in Attendance

PennRose Redevelopers Agreement for Area 3

Litigation: Borough of Fort Lee vs. Campo et al.

Settlement of Litigation: Wha Chung et als. vs Borough of Fort Lee

Acquisition of Property: Purchase/Lease at 1311 Inwood Terrace

Amending Contract of Dynamic Productions for the Fort Lee Community Center Stage

Schoor DePalma Contract Extension for Road Improvements to Main Street/Hudson Terrace

Auction of Borough Property by Henry Street-Vacant Lot

Interlocal Service Agreement With Leonia -(Public Assistance)

\_\_\_\_\_ Request for Release of Closed Session Minutes: January 8<sup>th</sup> and January 22, 2004 (Director of Cultural & Heritage Affairs)

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.

Mr. Villano left at 8:00 p.m. during the closed portion of the meeting.

The open portion of the executive session began after a ten minute recess after the conclusion of the closed portion of the meeting.

**Executive Session**

**June 7, 2007**

**Page #3**

**ENGINEERING DISCUSSION**

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

**Bid Discussion for 2006 Road Improvement Program**

Mr. Mignone stated that the Borough received a grant from the State of New Jersey to pave various streets in the Borough including Summit Street, Ellery Avenue, Lewis Street, Marguerite Street and Walnut Street.

Mr. Mignone added that the lowest responsible bidder is Arnold's Roads out of East Brunswick, New Jersey. This is based on the bid specifications of using alternates {b} and {c} which is using Belgian Block Curbing and milling of the aforementioned streets. If only either alternate {a} or alternate {b} is used then Jenicar Builders Contractors Co. out of Kearny, New Jersey would be the low bidder.

The Mayor and Council agreed that alternates {b} and {c} should be used.

Mr. Cervieri stated that one property owner on Ellery Avenue area has already put down is own brick pavers at his own cost.

It was agreed that his area will not be disturbed during the project, except for doing the curbing.

### Purchase of Count Down Timers Through State Contract

Ms. Thomas stated that count down timers are being used more frequently by municipalities.

Mr. Mignone added that the Borough received a grant from the Department of Transportation in 2003. The project never came to fruition at that time; however, the Borough can install eighteen count down timers itself for \$50,000. The Borough can still receive the monies for the 2003 grant if it executes a force account agreement with the State.

### Environmental Assessment and Boundary Survey of Property Located at 2169 Route 4 East, Block 5402, Lot 2

A resolution authorizing Boswell McClave Engineering, South Hackensack, New Jersey to prepare a boundary survey and

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environmental assessment of property located at 2169 Route 4 East, also know as (Redevelopment Area 6) at a cost not to exceed \$5,650 for the boundary survey and a fee not to exceed \$5,100 for the environmental assessment will be placed on next week's regular meeting proposed consent agenda.

Mr. Mignone stated that the redeveloper of redevelopment area 6 would post the escrow monies to do the environmental assessment and boundary survey. There would be no cost to the Borough for this work.

### Repair of DPW Wall

There was no discussion on this item tonight.

### Survey for the Vacation of a Portion of Kaufers Lane

Mr. Mignone stated that about four or five years ago the Borough did an extension to Federspiel Street; however, the northern portion of Kaufers Lane was not vacated at that time. The extension to Federspiel Street was related to the Borough's East/West Agreement with regard to affordable housing.

A resolution authorizing Boswell McClave to do a property survey for the unvacated portion of Kaufers Lane at a cost not to exceed \$8,200 will be placed on next week's regular meeting proposed consent agenda.

## **Emergency Replacement of Sewer on Ellery Avenue**

A resolution authorizing payment to Gotthold Paving, Edgewater, New Jersey, for emergency repairs made to the sewer on Ellery Avenue at a cost of \$43,100 including rock removal will be placed on the June 14<sup>th</sup> regular meeting proposed consent agenda.

## **GENERAL DISCUSSION**

### **Bid Discussion for the Wireless Communications Network**

Ms. Thomas stated that the award of the bid for the Borough's wireless communications network project is \$2,481,000. Ma-Com, out of Sicklerville, New Jersey is a compliant bidder. The bid was reviewed by the Borough, the Borough's consultant for the project and Mr. Cohen's office.

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Mr. Cervieri asked where the transmitter and antenna are going to be placed.

Ms. Thomas replied that coaxial cables are being used. She would like to see a construction manager. The Borough may need to go to Phase 2 of the project and use its present consultant (Concepts to Operations) to oversee the installation of the equipment.

Mr. Pohan asked Ms. Thomas to speak to Concepts to Operations about overseeing the installation of the wireless equipment.

This item to be placed back on the June 28<sup>th</sup> executive session for further discussion.

### **Amending Uniform Construction Code (UCC) Fees for the Building Department**

Ms. Thomas stated that Erik Swanson, Building Department Subcode Official, looked at other towns UCC fees and indicated to her and the Mayor and Council that Fort Lee's fees were lower than many other municipalities.

The Mayor and Council concurred that the Borough's UCC fees should be increased to reflect what other municipalities are receiving.

Mr. Cohen to prepare an appropriate ordinance for introduction amending the Borough's UCC fees.

**Opposing A-3959 Extending Polling Place Hours**

It was agreed by the Mayor and Council a resolution opposing the extension of voting hour to 9:00 p.m. will be placed on next week's regular meeting proposed consent agenda.

It was noted that with absentee ballot voting available to all voters for any reason that there is no need to make already long election days even longer.

**Placement of Fire Hydrant on the East Side of Palisade Avenue South of the Centerline of Elsmere Place**

A resolution placing a fire hydrant at the above location as requested by United Water will be placed on the June 14<sup>th</sup> regular meeting proposed consent agenda.

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Mr. Grant stated that James Carney, Fire Subcode Official, reviewed the request from United Water and had no objections to the placement of the new fire hydrant.

**Proposed Bus Stop by Martha Washington Way (MWW) Southbound**

Mr. Grant noted that New Jersey Transit has requested a bus stop be placed at MWW southbound on the westerly side thereof at Bridge Plaza South.

Mr. Grant explained that with the forthcoming construction of Centuria that the bus stop might have to be rerouted at a later date to accommodate the construction.

**Bergen County Community Development/Open Space Representatives**

Mr. Grant stated that Mayor Alter will be renaming Julia Ticola as his Bergen County Community Development representative for 2007-2008.

Resolutions authorizing the Council's appointment of James Viola as its Community Development representative and Mr. Grant as its Bergen County Open Space representative will be placed on the June 14th regular meeting agenda for consideration.

**Approving Developers Agreement for Birchwood Development Company at 2160 Hoyt Avenue**

Mr. Cervieri noted that the developers agreement is for a four unit development.

A resolution approving a developers agreement as prepared by Mr. Cohen's office for Birchwood Development at 2160 Hoyt Avenue will be placed on the June 14<sup>th</sup> regular meeting proposed consent agenda.

### **Estimated Tax Bills**

Ms. Thomas that Joseph Iannaconi, Chief Financial Officer, is requesting that estimated tax bills be mailed out for the third quarter.

A resolution authorizing the Tax Collector to prepare and mail out estimated tax bills for the third tax quarter will be placed on the June 14th regular meeting proposed consent agenda.

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The resolution once approved must be sent to the State for final approval before any estimated tax bills can be mailed out to the Borough's residents.

### **Grants - Added on by Councilman Sokolich**

Ms. Thomas stated that the Borough gets grant alerts from its grants writer and other sources such as the League of Municipalities. The alerts are then circulated to various departments for application. She added that with regard to Homeland Security grants, the Borough receives a very small portion of what it requests.

### **Fort Lee Youth Center**

Tom Meyers, Director of Cultural & Heritage Affairs, was present for this portion of the meeting.

Paul Ortlip and Josh Sommers, Mr. Ortlip's son-in-law, Donna Brennan and Kevin Cerragno, Historic Committee members, were also present for this portion of the meeting.

Mr. Meyers stated that Paul Ortlip and Josh Sommers are here for the closing of the "Four Generations of Art Exhibit this weekend. Mr. Meyers has spoken to Cheryl Westeyn, Recreation Director, and some council people individually about using some of the Fort Lee Youth Center space for the arts. The program would start off small with the hope that it will be eventually built up

to a larger program.

Josh Sommers stated that the Ortlip Gallery has works of art of all of the Ortlips' in Massachusetts. There is enough art work to facilitate having a rotating exhibit much of it covering Fort Lee history.

Mr. Pohan asked Mr. Meyers about what kind of space he would need and the time frame he would need to be able to begin this program.

Mr. Meyers added that this would be a chance to reach out to some of the galleries in Fort Lee. This is a chance to do something special and cultivate the arts into Fort Lee. He is just looking for some space and a commitment from the Borough within the next six months so that a program could be established for the beginning of the 2008 Fort Lee Recreation summer camp program.

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Mr. Sommers stated whatever space is available could be used. The more space available for use creates more options.

### RESOLUTIONS

#### R-1 - Payment of Claims

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

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

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$8,530,578.46
Capital	1,130,801.20
Multiple Dwelling	n/a
Construction Fees	n/a
COAH Fees	n/a
Trust Account (Old)	n/a
Senior Citizen Advisory Council	6,196.75
Trip Admissions	n/a
Wedding Fees	n/a
Trust Account (Accutrack)	35,419.44
Police Activity Account	161,548.24
Special Dog Account	n/a

Senior Citizen Advisory Account (Computer)	n/a
Centennial Fund	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Public Assistance Trust Fund	n/a
Fort Lee Film Commission	3,917.31
Redemption Account	17,830.71
School Resource Account	450.00
Dedicated Penalties	n/a
Road Improvement Plan	<u>9,125.61</u>
<b>Total:</b>	<b>\$9,895,867.72</b>

The Resolution was **approved unanimously.**

**R-2 - Accepting Resignation Notice of Caroline Comerford as a Clerk Typist for the Police Department**

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

WHEREAS, a resignation notice was received from Caroline Comerford, Clerk Typist of the Police Department,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that her resignation notice is hereby accepted, with an effective date retroactive to April 26, 2007.

The Resolution was **approved unanimously.**

**R-3 - Authorizing Full Time Hiring of Felicia Quevedo as a Clerk Typist for the Police Department - \$27,000 Annually**

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

WHEREAS, the Police Department has requested the Mayor and Council to hire a secretary due to a resignation in the department, and the Mayor and Council of the Borough of Fort Lee have determined that the position should be filled,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that Felicia Quevedo, a part-time employee, be hired to the full time position of Clerk Typist, in the Police Department, with an effective date of June 11, 2007 at an annual salary of \$27,000; and

BE IT FURTHER RESOLVED, that this appointment be provisional

pending certification from the New Jersey Department of Personnel.

The Resolution was **approved unanimously**.

**R-4 - Approving Place-to-Place Liquor License Transfer - Expansion of Premises for Franco B. Inc., t/a Franco's Metro Restaurant at 1475 Bergen Boulevard**

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

WHEREAS, an application has been filed by **Franco B. Inc.** for a place-to-place transfer (expansion of premises) of Plenary Retail Consumption w/Broad Package Privilege license number **0219-32-027-005**, at 1475 Bergen Boulevard, Fort Lee, New Jersey; and

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

WHEREAS, said application has been approved by the Building Inspector and the Fire Inspector,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby approve, effective **June 7, 2007**, the place to place transfer (expansion of premises) of the aforesaid Plenary Retail Consumption w/Broad Package Privilege license, to include the expansion of premises at **1475 Bergen Boulevard, Fort Lee, New Jersey**.

The Resolution was **approved unanimously**.

**R-5 - Approving Person-to-Person/Place-to-Place Liquor Transfer from Bobanell's Liquors, Inc. to 9W Wines and Spirits, LLC at 2450 Lemoine Avenue**

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

WHEREAS, an application has been filed for a person-to-person and place-to-place transfer of plenary retail distribution license **0219-44-009-001**, heretofore issued to **Bobanell's Liquors, Inc**, a New Jersey corporation for premises located at 2450 Lemoine Avenue, **Fort Lee, New Jersey**; and

WHEREAS, the submitted application form is complete in all

respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

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

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

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

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WHEREAS, said application has been approved by the Building Inspector and the Fire Inspector,

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the person-to-person and place-to-place transfer of the aforesaid plenary retail distribution license to **9W Wines & Spirits, LLC., t/a Quench Wine & Spirits @ 2450 Lemoine Avenue, Fort Lee, New Jersey 07024** effective **June 7, 2007** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership.

The Resolution was **approved unanimously.**

**PUBLIC HEARING SCHEDULED FOR JUNE 14, 2007**

Ord. #2007-21--Amending Chapter 388, Section 57, Schedule XIII, "Bus Stops" - to Reflect Proper Description of Bus Stop at Wall Street and to Memorialize an Existing Bus Stop at Washington Avenue (Both Bus Stops are Along Route 67 (State Roadway))

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.UCC Fees	Mr. Cervieri Mayor Alter

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

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, May 3, 2007 @7:00 p.m.**

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

**PRESENT:** Mayor 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 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

On motion by Councilman Sargenti, seconded by Councilman Sokolich 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 Summer Help  
Fire Prevention  
Municipal Court  
Police Department Records Room

**Executive Session**

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Litigation: Borough of Edgewater vs. Borough of Fort Lee and State of New Jersey DOT

Closed Session Minutes of February 8th and March 29th, (Programming Consultant 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**

**Authorizing a Redeveloper for Redevelopment Area 6 (Courtesy Motel)**

This item was removed from the agenda and discussed in closed session because of the possibility of potential litigation.

Mayor Alter introduced Mary Firschein, "The Records" news reporter for the Borough.

**East Coast Greenway Alliance Route Through Fort Lee - Dolores Newman, Co-Chair and Ted Semegran, Greenway Alliance Representative in Attendance**

Mr. Semegran explained that the alliance is trying to develop a bicycle trail from Maine to Key West, Florida. Each group is trying to get support through the different towns that would be affected on the east coast along the prospective 2,600 mile route. He is working with the New Jersey Department of Transportation. The New Jersey section is ninety miles and ½ of the roadway has been designated and is operational at this point.

The main route is through New York and the Hudson River Greenway to the ferry and into Jersey City. The alternate route for a number of riders is to go through Jersey City through the Hudson River walkway.

Ms. Newman requested a resolution for Edgewater's support of the alliance's plan, but she has not received a supporting resolution from them yet.

#### **Executive Session**

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Mayor Alter stated that the bicycle path is a major piece of construction; however, the Police Department has pleaded with him and the governing body not to have a designated bicycle path going down River Road.

Ms. Thomas and Mr. Semegran disagreed as to why the route is not going through all the Palisades Interstate Parkway property.

Mr. Semegran indicated that only 1/3 of a mile in Fort Lee and 1.5 miles in Edgewater have to be designated. He stated that some Hudson County towns have already done some design work.

Mr. Pohan stated that there is already a designated route and only the alternate route would be through Fort Lee. He indicated that most cyclists come up the west side of New York and then go up through Route 9W.

Mr. Semegran asked the Mayor and Council to pass a resolution supporting the bicycle path.

Mayor Alter stated that the alliance's plans would have to get firmer before he believes that the governing body would pass an endorsing resolution.

Mayor Alter closed by saying that at some point the East Coast Greenway Alliance will be invited back to speak again.

**Saint Rocco's Feast - Phil Arfuso and Rocco Palia, Saint Rocco's Representative, Were in Attendance**

Mayor Alter stated that Martha Washington Way (MWW) may be able to be used for the St. Rocco's feast. Centuria is not being built yet and they may possibly request a change of there building plans. The approval process could take as long as nine months. He told the St. Rocco's representatives to be prepared to have another location just in case MWW cannot be used.

Mr. Palia said that he is a month behind schedule already but he needs to be able to use the sidewalk on MWW.

Mr. Sokolich asked Mr. Cohen to speak to Paul Kaufman about letting St. Rocco's use the sidewalk.

Ms. Thomas believes the sidewalk is the Borough's.

Mr. Cohen asked Mr. Grant to supply him the deed of easement for the property so that he could review it.

**Executive Session**

**May 3, 2007**

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Mr. Arfuso stated that the Centuria sales office which used to be municipal parking can no longer be used. Mr. Arfuso will check with Centuria representative to see if the St. Rocco's organization can use the space during the feast from August 1<sup>st</sup> from August 5th.

Mayor Alter stated that he receives numerous complaints with regard to the noise that the feast generates from the music and fireworks.

Mr. Cervieri replied that he believes people can withstand some celebratory noise.

Mr. Palia indicated that the process was changed last year to reduce the number of fireworks that are set off.

**Following Were Requests by VFW Post #2342 Commander James Viola**

1. Veterans Clock Facing South on Center Avenue.
2. Renaming of Block by VFW Post to Veterans Square
3. Request to Take a Portion of Sidewalk on Center Avenue and to Fly Flags of Military Service Units
4. Request to Name Two of the Unnamed Borough Parks

James Viola, VFW Post #2342 Commander, was present for this portion of the meeting.

Mr. Viola presented a cursory diagram of what he would like to do by the VFW including having a veterans clock facing south on Center Avenue and Main Street. He wants to take part of the

sidewalk and take the bricks out and replace them with grass and flowers in which he would put a flag pole up with the Marine flag. He wants a new light pole to fly the American flag. Two parking meters would have to be taken away. He believes that the area looks awful in its present condition.

Mayor Alter stated that county approval would be needed and that once Mr. Viola gives him a better schematic of what he wants done he would present it on Mr. Viola's behalf.

Mr. Cervieri spoke about how flags fly off the building in Rockefeller Center. He also does not want to eliminate parking spaces. He said that encroaching on the sidewalk adjacent into the roadway may not be necessary.

Mr. Viola replied that flying the flags without the lighting does not do it justice. He just wants the area beautified. He can work with the town about leaving the existing parking spaces intact.

**Executive Session**

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Mr. Villano concurred with the Mayor that Mr. Viola should come in with a more formal plan and then the Borough could tweak it accordingly

Mayor Alter stated that Mr. Viola has done a great job with the Korean War Memorial and the Borough Hall Memorial.

Mr. Viola said that he will come back to the Mayor and Council with a better schematic. He also would like the Borough to name its unnamed parks after someone or something.

Mr. Cervieri suggested a wall of honor be built which would honor many of Fort Lee's finest families. Abbott Boulevard is part of Veterans Park from Tom Hunter Road to Columbia Avenue.

Mayor Alter asked that Messrs. Cervieri and Sokolich look into a wall of honor and report back to the Mayor and Council with their findings.

### **Awarding Bid for a Trailer Mounted Generator**

Mr. Grant and Ms. Thomas both noted that the apparent low bidder did not have the mandatory Business Registration Certificate included with their bid documents and thus was disqualified from being awarded the bid.

A resolution awarding a bid to the lowest responsible bidder Rapid Pump & Meter Service Co., Inc, Paterson, New Jersey, for a trailer mounted generator for the DPW at a cost of \$58,890 and an additional cost of \$62,780 for a second generator if purchased

within one year will be placed on the May 10<sup>th</sup> regular meeting proposed consent agenda.

**Extension of Contract for Fireworks by Grucci, Inc.**

Ms. Thomas stated that Borough's fireworks display is going to be set off again on the Centuria property between Lemoine Avenue and Martha Washington Way. An alternate site if needed would be the Palisades Interstate Parkway property behind the high school next to Hudson Terrace.

A resolution approving a one-year contract extension for Fireworks by Grucci, Inc., Brookhaven, New York, for the Borough's July 4th Fireworks Display at a cost of \$20,700 will be placed on the May 10<sup>th</sup> regular meeting proposed consent agenda.

**Executive Session**

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**Municipal Recycling Tonnage Grant**

Ms. Thomas stated that last year's recycling tonnage grant was for \$6,700.

A resolution authorizing the Borough's application for a recycling tonnage grant for 2007 will be placed on tonight's regular meeting proposed consent agenda.

**Advertising for Bids for Solar Panels for Various Borough Buildings**

Ms. Thomas stated that she is designating the Fort Lee Community Center, Police Department building and DPW garage #2 as areas where the Borough may place solar panels. She added that the solar panels will not penetrate the roofs of the buildings.

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids for solar panels for the aforementioned Borough buildings will be placed on the May 10<sup>th</sup> regular meeting proposed consent agenda.

**Amending Language & Memorializing Bus Stops Along Route 67 (State Highway)**

Mr. Grant stated that he is amending the Borough's bus ordinance to amend the correct location where buses are presently stopping on State Highway #67 northbound at Wall Street and to

include an existing bus stop southbound on State Highway #67 at Washington Avenue.

Mr. Grant added that a bus stop is being added by Wendy's on State Highway #63 along Bergen Boulevard. Presently there is an unauthorized bus stop at the underpass of Bergen Boulevard before the Wendy's restaurant on Bergen Boulevard.

### **Main Street Crosswalk Between Lemoine Avenue and Center Avenue**

Ms. Thomas stated that Mr. Pohan and Captain Roy Bortolus met about placing a crosswalk where Blimpies is across Main Street. The crosswalk would be about eight feet wide and two light poles would have to be removed and one metered parking spot would be lost to accommodate the walkway. DOT approval is needed.

Mr. Cervieri asked about moving the crosswalk approximately fifty feet east closer to the post office.

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Ms. Thomas and Mr. Pohan both indicated that there is an active driveway in the area that Mr. Cervieri is recommending. Mr. Pohan added that more metered parking spots would also have to be removed if the crosswalk was moved closer to the post office.

Ms. Thomas reiterated that even though Bergen County agrees to having the crosswalk, State approval is needed.

### **PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Frank Lorillard 155 Myrtle Avenue	.Praising of Proposed Centuria Project	

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

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, April 12, 2007 @7:00 p.m.**

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

**PRESENT:** Mayor 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 4, 2007, 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 5, 2007, 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 2007 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: Chief of Police/Table of Organization  
Board of Health

Contracts: Administrative Purchasing Consultants

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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**

**Request by VFW Post #2342 to Have a Veterans Clock Facing South on Center Avenue**

This item was postponed until the April 26<sup>th</sup> executive session.

**Request by VFW to Rename Block by VFW Post at 250 Main Street to Veterans Square**

This item was postponed until the April 26<sup>th</sup> executive session.

**Request by VFW to Take a Portion of Sidewalk on Center Avenue to Fly Flags from Service Units**

This item was postponed until the April 26<sup>th</sup> executive session.

**Request by VFW to Name Two Unnamed Borough Parks**

This item was postponed until the April 26<sup>th</sup> executive session.

**Change of Business Location for GW Car Service, LLC (Taxi Service) to 1696 Bergen Boulevard**

A resolution approving a change of business address for GW Car Service, LLC, from 260 Columbia Avenue to 1696 Bergen Boulevard will be placed on tonight's regular meeting proposed consent agenda.

**Roof-top Clean Energy Alternatives**

Mayor Alter stated that his "Green Committee" which is comprised of Fred Heller and Jay Scheiner have to come up with  
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what they want to do before the Borough can make any changes to its ordinances. They will be going to the Borough of Highland Park to study and review their green development program.

**Retirement Plaque for Bernard Hart**

Mayor Alter suggested that Mr. Hart be presented with a plaque for his dedicated years-of-service to the Borough.

Ms. Thomas stated that the Borough does not give a lot of people plaques when they retire.

Mayor Alter replied that if someone retires with the credentials of Mr. Hart, the Borough can also give that person a plaque.

**PUBLIC HEARINGS SCHEDULED FOR APRIL 12, 2007**

Ord. #2007-17--Ordinance to Exceed Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Ord. #2007-19--Amending White Collar Salary Ordinance #2006-46 Including Salary Range for the Position of Cook in the Richard A. Nest Senior Citizens' Center

Ord. #2007-20--Amending Chapter 388, Section 53,  
Schedule IX, Stop Intersections Placement of Stop  
Signs Shall be Installed on Fairmount Place and Briar  
Way at the Intersection of Euclid Road  
**Municipal Budget 2007**

**PUBLIC PARTICIPATION**

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

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 7:25 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, March 29, 2007 @7:00 p.m.**

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

**PRESENT:** Mayor Alter, Council Members Pohan, Sokolich, Villano, Sargenti, (Arrived at 7:47 p.m)  
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 4, 2007, 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 5, 2007, 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 2007 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: Fort Lee Community Center - Part Time Hire  
Rent Leveling  
Director of Public Safety

**Executive Session**

**March 29, 2007**

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RFQ's: Programming Consultant for the Community Center  
Conflict Attorney  
Traffic Engineer

Contract: Emergency Management Mutual Aid Agreement

Department Head Audit Report

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**

**Change Order #2 for the Lewis F. Cole Middle School Field (-\$50,387.53)**

Ms. Thomas stated that a change order for Joseph Sanzari, Inc., reflecting less materials used for the resurfacing of the Lewis F. Cole Middle School will be placed on tonight's regular meeting proposed consent agenda.

**Change Order #2 for Cumbermeade Road Improvements(\$55,319)**

Ms. Thomas stated that a change order for Montana Construction Inc., reflecting more materials used than originally anticipated for improvements to Cumbermeade Road will be placed on tonight's regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Budget Appropriation Transfers**

A resolution approving budget appropriation transfers will be placed on tonight's regular meeting proposed consent agenda.

**Removal of Snow and Ice Ordinance**

There was no discussion on this item tonight.

**Executive Session**

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**Policy for the Taping of Mayor and Council Meetings**

Mr. Cohen stated that there has been a Supreme Court decision where people can tape public meetings privately. People can videotape meetings as long as there is no disruption to the proceedings. He recommended that the Borough have guidelines that should be adopted by the Mayor and Council in the form of an ordinance.

Mr. Cohen to prepare an ordinance for introduction with regard to a Borough-wide policy for the taping of public meetings.

**Advertising for Bids for Maintenance Warranties on Borough Vehicles**

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids with regard to having a maintenance warranty in place for the Borough's vehicles will be placed on tonight's regular meeting proposed consent agenda.

**Fire Department Equipment Donation Request**

Ms. Thomas stated that the Fire Department would like to

donate old Scott Packs (breathing apparatus) to the Bergen County Fire Department. The Scott Packs are only suitable to be used in a training environment.

Mr. Cohen added that the Borough should not give any performance warranty with regard to the fire equipment being donated.

Mayor Alter stated that he wants a hold harmless agreement for the donation of the equipment.

**Fairmount Place/Euclid Road/Briar Way-Placement of Stop Intersections on Fairmount Place and Briar Way**

Mr. Sokolich stated that the above titled area needs stop intersections.

An ordinance placing stop intersections at Fairmount Place and at both Briar Way locations on Euclid Road will be placed on tonight's regular meeting for introduction.

The Police Department is currently doing an audit of all of the stop intersections in the Borough.

**Executive Session**

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**Library Board of Trustees Appointment**

Mayor Alter will nominate Victoria Min as a Library Board of Trustee member at tonight's regular meeting for an unexpired term through 2009.

**Consideration of James Harbilas as a Honorary Lifetime Trustee of the Library**

Mayor Alter asked Mr. Cohen if the Mayor and Council have the power to make Mr. Harbilas a honorary lifetime trustee of the Fort Lee Library.

Mr. Cohen replied that at this time there is nothing that prohibits the Mayor and Council from making that designation for Mr. Harbilas.

Mr. Grant to prepare an appropriate resolution for the April 12<sup>th</sup> regular meeting.

Mr Sargenti arrived at this point in the meeting at 7:47 p.m.

**COPS Funding Sign-On Letter**

Mayor Alter stated he has received a request to support fully funding of the Office of Community Oriented Policing Services (COPS). This is federal funded program.

Mr. Grant to send a letter to New Jersey Senators Frank Lautenberg and Robert Menendez requesting that they support the COPS Appropriations funding. A letter has been circulated by Senator Joseph Biden asking for support.

### **Board of Health Appointment**

No action was taken on this item.

This item will be placed on the April 12<sup>th</sup> executive meeting agenda for discussion.

### **Theatrical Equipment for the Community Center**

Mr. Pohan stated that the original price for the theatrical equipment was upwards to \$2,500,000. The price was whittled down to \$1,500,000 and now finalized at a fee not to exceed \$800,000.

### **Executive Session**

**March 29, 2007**

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Mr. Cohen stated that the Borough will supply the labor under the new agreement.

Ms. Thomas replied that the Borough does not have the capability to do a lot of the labor.

Mr. Cohen stated that the rigging of the equipment will still be done professionally.

Mr. Pohan said that the stage lighting system was taken out and the projection costs were greatly reduced from the original proposals. The equipment being bought will not handle Broadway type performances.

A resolution prepared by Mr. Cohen's office approving a contract for \$800,000 to B&C Industries, Inc., t/a Dynamic Productions, Suffern, New York, will be placed on tonight's regular meeting proposed consent agenda.

Mr. Sargenti added that the system can be upgraded or items can be rented that may be need on an ongoing basis for specific types of performance.

Ord. #2007-12--Amending Chapter 388-30 Schedule XIV-A:  
 Right-Turn Only to Include the Following: 1642  
 Schlosser Street by the West Driveway and Amend  
 Chapter 388-31.1 Schedule XVI- B: Left-Turn Only to  
 Include the Following: 1620 Lemoine Avenue by the East  
 Driveway  
 Ord. #2007-13--Amending Chapter 388, Sections 14 and 69  
 - Handicapped Parking Spaces in Front of 1449  
 Anderson Avenue  
 Ord. #2007-14--Amending Chapter 388-57 Schedule XIII,  
 Bus Stops - Delete Bus Stop on Stillwell Avenue (Far  
 Side) Beginning at the Southerly Curblineline of Stillwell  
 Avenue and Extending 100 Feet Southerly Therefrom  
 Ord. #2007-15--Amending Salary Ordinance #2006-45  
 Establishing Salaries and Wages for Blue Collar  
 Employees - Establish Schedule A-17 for Senior  
 Maintenance Repairer Electric/Supervising Maintenance  
 Repairer, Carpentry  
 Ord. #2007-16--Establishing Chapter 270 "Marriages and  
 Civil Unions" for Donations Collected in Connection  
 With Weddings and Civil Union Ceremonies Performed by  
 the Mayor

**Executive Session**

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Ord. #2007-18--Ordinance Repealing and Replacing  
 Chapter 40 "Defense and Indemnification" of Municipal  
 Officials and Employees

**PUBLIC PARTICIPATION**

Speaker

Subject

James Viola  
 VFW Post #2342  
 250 Main St.

- .75<sup>th</sup> Anniversary of VFW
- .Veterans Square - Request for Placement  
 Of a Clock Facing South on Center Avenue
- .Taking Portion (Two Feet) of Curbing to  
 Display Flags from Various Service Units
- .Two Unnamed Borough Parks - Request to Name  
 them After Chick Raimondo and Charles

Viola

- .April 28<sup>th</sup> Pancake Breakfast - Donations of  
 Food for Soldiers

Mayor Alter stated that all of Mr. Viola requests will be

placed on the April 12<sup>th</sup> executive session meeting agenda for discussion.

Mr. Cervieri added that he believes there could be legal issues with the VFW's request to take back a certain portion of the sidewalk to display flags.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sokolich,** at 8:02 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, March 15, 2007 @6:15 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

**MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 to cover the cost of providing notice.

3. On March 9, 2007, 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 2007 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  
**Executive Session**

**March 15, 2007**

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items which may generally be described as follows:

Personnel: Rent Leveling  
Public Safety Director  
Recreation Department Seasonal Employees  
Senior Citizens' Center

Acceptance of Police Report by M&C (Police Executive Research Forum)

Response/FLCCA/Labor Contract

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

Monument Park, Tom Meyers, Director of Cultural and Heritage Affairs in Attendance

Bert Rosenbluth, Historic Committee representative, was also present for this portion of the meeting.

Mr. Meyers mentioned that Monument Park will be having its centennial in 2008. He is looking to place a statue of Thomas Paine in the corner of the park so as not to interrupt the integrity of the statue that is already in the park. He spoke about Paine's "The Crisis". He is looking for permission to get prices to place the statue of Paine in the park. He would be looking to unveil the statue around November 20, 2008. He is estimating the cost of the statue will be around \$50,000. He closed by saying that the statue would be unique and would showcase Fort Lee's history.

The Mayor and Council had no objection to Mr. Meyers request to looking into pricing for the construction of a Thomas Paine statue in Monument Park.

### **Introduction of 2007 Municipal Budget**

Ms. Thomas handed out the Municipal Budget Initial Summary Sheet (attached as Appendix A).

It was agreed that the municipal budget will be introduced  
**Executive Session** **March 15, 2007**  
**Page #3**

at tonight's regular meeting with the public hearing scheduled for April 12, 2007.

The Borough's extraordinary application has to be reviewed by the State and more than likely the budget will not be adopted until some time in the summer.

### **Automated External Defibrillators (AED)**

Mr. Sokolich asked the Mayor and Council to reconsider of having an automated external defibrillators be put in place for the Fort Lee Community Center.

Mayor Alter replied that the employees are going to have be able to use the AED's.

Mr. Sokolich added that four fire department members are certified to teach on how to use the equipment. There is only a CPR requirement needed. The amount of time to be trained properly is between three to four hours.

Ms. Thomas stated that the training can be done in-house.

There were no objections from the Mayor and Council with regard to Mr. Sokolich's request.

**Indemnification and Defense of Municipal Officials and Employees Ordinance**

This item was discussed in closed session.

It was agreed that an ordinance will be introduced on tonight's regular meeting to indemnify and defend municipal officials and employees. The ordinance will replace the current Borough ordinance that is outlined in Chapter 40 of the Borough code.

**Deletion of Bus Stop Along Anderson Avenue Southbound on Westerly Side Thereof At Stillwell Avenue**

Mr. Grant explained that to create handicapped parking in front of the Fort Lee Jewish Center that the bus stop in front of the building has to be deleted. He added that there is another bus stop approximately one hundred yards south of the current location.

**Executive Session**

**March 15, 2007**

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An ordinance deleting the Anderson Avenue southbound bus stop far side of Stillwell Avenue will be placed on tonight's regular meeting for introduction.

**Handicapped Parking Spaces in Front of 1449 Anderson Avenue and Deletion of Bus Stop at the Same Location**

Mr. Grant reiterated that the Fort Lee Jewish Center is requested the placing of handicapped parking spots in front of their building. The request was reviewed by the Police Department who concurred with their request.

An ordinance creating handicapped parking spaces in front of the Fort Lee Jewish Center will be introduced at tonight's regular meeting.

Mr. Grant added that once the handicapped parking spaces are approved they will not be for the exclusive use for the Fort Lee Jewish Center. Anyone who has a handicapped placard will be able to use the parking spots.

**TPK Sidewalk**

Mayor Alter stated the TPK sidewalk on Lemoine Avenue (Fort Lee Town Center) is dangerous. He has had many complaints about the disrepair of the sidewalk. In speaking to Erik Swanson, Building Sub-code Official, the entire mall is in a legal dispute. He believes that the Borough should fix the problem and send the bill related to reimbursement of said repairs to the owners of the mall.

Mr. Cervieri stated that a major investor is going to take over the mall; however, the construction code official should continue to issue violations.

### **Saint Rocco Italian American Mutual Aid Society Feast**

Mr. Sargenti recommended that the Saint Rocco's feast be placed back on Martha Washington Way (MWW) or another location where there is room to operate. Last year's location across on Central Road across from In Napoli was not a good location.

Ms. Thomas spoke to the pending construction for the road improvements on Central Road so using last year's location is really not a possibility for this year.

### **Executive Session**

**March 15, 2007**

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Mr. Cervieri stated that last year the Mayor and Council told Saint Rocco's that they were going to have to find a different location for this year. He recommended the bowl area next to the Northbridge Park cooperatives or Constitution Park as places that Saint Rocco's could use to hold their feast.

Mayor Alter stated that Saint Rocco's request was specific to the use of MWW.

Mr. Pohan mentioned the use of the Municipal Parking Lot as an alternative solution.

Mayor Alter asked Ms. Thomas to send Saint Rocco's a letter telling them that they need to have a backup plan for their annual feast.

### **Approving Developers Agreement for Kwang Hyun Kim for Property Located at Block 4101, Lot 5**

A resolution approving a developers agreement for Kwang Hyun Kim for property located at 1605 Center Avenue will be placed on tonight's regular meeting proposed consent agenda.

The resolution and developers agreement were prepared by Mr. Cohen's office.

**Supporting the Renewal of the Garden State Preservation Trust**

A resolution supporting the renewal of the Garden State Preservation Trust will be placed on tonight's regular meeting proposed consent agenda.

**Restoration of Passenger Rail Service of Northern Branch Rail Corridor**

A resolution supporting restoration of passenger rail service of the Northern Branch Rail corridor will be placed on tonight's meeting proposed consent agenda.

**Emergency Repairs to the Boiler at 309 Main Street**

Ms. Thomas stated that there is a resolution on tonight's regular meeting authorizing a payment of \$26,100 to JT O'Brien Plumbing and Heating LLC for installing the new boiler in the Memorial Municipal Building. The old boiler broke down.

**Executive Session**

**March 15, 2007**

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Mr. Cervieri asked if there was a maintenance contract on the old boiler.

Ms. Thomas replied that it was a cheap boiler, but it worked well for many years.

**PUBLIC HEARINGS SCHEDULED FOR MARCH 15, 2007**

- Ord. #2007-7--Bond Ordinance for the Provision of Roadway and Traffic Signal Improvements for Main Street & Hudson Terrace - Authorizing the Issuance of \$12,500,000 in Bonds or Notes
- Ord. #2007-8--Amending Ordinance #360-26 (B) Repair of Sidewalks and Curbs - Elimination of Escrow Fees for One and Two-Family Homes
- Ord. #2007-9--Bond Ordinance for the Wireless Public Safety Communications Network - \$5,500,000
- Ord. #2007-10--Amending Department Head Ordinance #2007-6 Establishing Titles, Salaries and Salary Ranges for the Supervisor of Senior Citizen Activities and Municipal Court Administrator
- Ord. #2007-11--Amending White Collar Salary Ordinance

#2006-46 Establishing Titles, Salaries and Salary Ranges for an Assistant Municipal Clerk, Supervising Fire Protection Inspector/Fire Safety Specialist and Deputy Court Administrator

**PUBLIC PARTICIPATION**

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

There being no further discussion the meeting was adjourned on motion by Councilman Sargenti, seconded by Councilman Cervieri, at 7:56 p.m.

Neil Grant, RMC  
Borough Clerk

**BOROUGH OF FORT LEE  
2007 MUNICIPAL BUDGET  
INITIAL SUMMARY SHEET  
(Appendix A)**

		Tax Rate
Total Appropriations 2006	\$57,551,257	
Total Appropriations 2007	\$59,904,621	
Increase	<u>\$ 2,353,364</u>	
Percentage	<u>3.93%</u>	
Tax Levy 2006	\$46,508,620	0.789
Tax Levy 2007	\$49,456,188	<u>0.822</u>
Increase	<u>2,947,568</u>	<u>0.033</u>
Percentage	<u>6.34%</u>	

Appropriation Increases

Salaries and Wages - Police	516,500
Salaries and Wages - Other	257,220
Health Benefits	-316,000

Other Insurance	-17,021
Library	99,303
Debt Service	315,186
Pension	799,761
Capital Improvement Fund	-275,000
BCUA	306,326
Utilities	169,500
Community Center	184,000
Other Expenses	<u>313,589</u>

\$2,353,364

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, February 22, 2007 @6:30 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, Cervieri

**ABSENT:** Councilwoman Kasofsky

**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:

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**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: General Services  
Municipal Court  
Rent Leveling

**Executive Session**

**February 22, 2007**

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Tax Assessor

Contract: Special Prosecutor for Borough With Regard  
to Violations Against Jabadou, Inc., t/a  
Tribecca

Release of Closed Session Minutes (Programming  
Consultant for the Community Center) from February 8<sup>th</sup>  
Executive Session)

Municipal Parking for Employees

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**

**Preliminary Municipal Budget for 2007**

Ms. Thomas handed out preliminary budget work sheets including the Borough Auditor's assessment. She indicated that the work sheets are work products only. She also included a copy of the anticipated budget for the sports leagues. A 3.3 point increase is anticipated. She added that if the 4% State exceptions CAP was included in this year's budget which it isn't, the Borough would be \$1,000,000 over. At this time no one is sure what the CAP exceptions are, but it will only come into play for calendar year towns beginning in 2008. This budget also includes an increase from the original BCUA assessment, but it is considerably lower than the first figures the BCUA gave to the Borough.

Mayor Alter spoke to the Borough Auditor about the \$1,100,000 in tax appeals the Borough approved. He believes that a refunding bond ordinance should have been done. It would have helped this year's budget. He wanted to know if it still can be done. He added that in a couple of years with the Centuria project being built and included in the Borough's tax rolls, it will be helpful to the entire Borough's tax situation.

Ms. Thomas stated that the budget will be introduced on March 15<sup>th</sup>. The public hearing will be held in April or May. The Borough still has to file its extraordinary aid application and wait for the State to decide how much the Borough will receive in extraordinary aid before the budget can be adopted.

**Executive Session**

**February 22, 2007**

**Page #3**

**Amending Chapter 388-31.1 & 388-30 Left Hand Turn Only Out of 1620 Lemoine Avenue and Right Hand Turn Only Out of 1642 Schlosser Street**

The Police Department have recommended in their February 6, 2007 traffic survey report that they want an ordinance adopted so people will not use the driveway from Border's Books to drive through the Garden State News in both directions.

Mr. Pohan asked how this request compared to the situation the Borough dealt with a while back about prohibiting certain turns out of Whiteman Plaza on Lemoine Avenue.

Mr. Cohen replied that Whiteman Plaza was private property and the area in question this time is not.

An ordinance amending the Borough's traffic code for left and right turns only, which will prohibit vehicles from attempting to cross from Borders to the Garden State News store in both directions will be introduced at the March 15<sup>th</sup> regular meeting.

**Snow and Ice Removal**

Ms. Thomas spoke to the Borough Ordinance that requires residents to clean their sidewalks twelve (12) hours after the cessation of snowfall. Multiple dwellings and commercial establishments have four (4) daylight hours after a snowstorm ends to clean their properties. The Borough changed this ordinance back in 2003.

Mayor Alter stated that he along with the Borough's personnel receive a lot of complaints about sidewalks not being cleaned in a timely manner after a snowfall.

Mr. Cervieri recommended that residents be given four hours of daylight after the cessation of snowfall.

Discussion also ensued about the agreements the Borough as with the Port Authority with regard to snow removal.

Mayor Alter added that the agreement the Borough has with the Port Authority is strictly voluntary.

Ms. Thomas said that Bridge Plaza North and Bridge Plaza South are not the Borough's responsibility based on the agreement that she reviewed.

**Executive Session**

**February 22, 2007**

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Ms. Thomas to speak to Mr. Cohen about preparing an ordinance for introduction at the March 15<sup>th</sup> regular meeting.

**Main Street Sign Enforcement**

Conversation ensued between Messrs. Sokolich, Alter and Ms. Thomas about finding someone to enforce signage on Main Street.

Ms. Thomas stated that the Borough is advertising for the position through the New Jersey Department of Personnel.

**Local Finance Notice - The Acceptance of Marriage Fees by Mayors**

Ms. Thomas stated that the State of New Jersey is mandating an ordinance establishing fees and procedures for reimbursement of Mayor's expenses in connection with wedding and civil union ceremonies.

Mr. Grant to get the information that he has received from the State to Mr. Cohen so that Mr. Cohen can write an ordinance that can be introduced at the March 15<sup>th</sup> regular meeting.

**Person-to-Person Liquor License Transfer From Young Joon Park to Sunbichon Restaurant Inc. (Masil House)**

Mr. Grant stated that the Police Department had no objections to the transfer as outlined in their written report of February 21st.

A resolution authorizing a person-to-person liquor license transfer from Young Joon Park to Sunbichon Restaurant Inc., t/a Masil House at 400 Main Street will be placed on tonight's regular meeting proposed consent agenda.

**PUBLIC PARTICIPATION**

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

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 7:41 p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, February 8, 2007 @6:30 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

**MAYOR'S STATEMENT**

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

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2. On January 5, 2007, 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 2007 to cover the cost of providing notice.

3. On January 30, 2007, a written notice of the change in date and time for this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

4. On the same date a copy of said written notice was mailed to the Record, Jersey Journal and Time Warner Cable and copies were mailed to all persons who have requested copies of such notices, and have prepaid the fee fixed for the year 2007.

### 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:

**Executive Session**

**February 8, 2007  
Page #2**

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

Personnel: Municipal Court - Judge DeSheplo to Attend  
Salary Reviews  
Director of Public Safety

Contract: Time Warner Cable

RFQ Contract: Programming Consultant for the 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

Fort Lee Chamber of Commerce "2007 Person 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 Assemblywoman Joan Voss as the Greater Fort Lee Chamber of Commerce "Person of the Year".

### **Newspaper Racks**

Mr. Cervieri spoke to the Borough's newsracks ordinance which was adopted in 2003. He spoke to the free advertising boxes next to the newspaper racks.

It was agreed that Mr. Cohen would send out letter to the newspaper or newsletter vendors so that they comply with the Borough's ordinance. The Building Department will have to get the address information of the newspaper vendors to Mr. Cohen.

### **Bid Discussion for Theatrical Equipment for the Fort Lee Community Center**

Ms. Thomas stated that both bids received are going to be rejected. Both bids did not conform with the public bidding laws.

### **Executive Session**

**February 8, 2007  
Page #3**

Mayor Alter stated that with Mr. Pohan's help the theatrical equipment should cost somewhere between \$700,000 to \$800,000 rather than over the \$1,000,000 that was originally projected when the project was conceived.

A resolution rejecting the bids will be placed on tonight's regular meeting proposed consent agenda.

### **Bid Discussion of Wireless Safety Network**

Mr. Grant stated that three bids were received for the project. The Borough's consultant for the project and the Borough Attorney's office are in the midst of reviewing the bids. There are many components to the bids.

### **Requesting a Down Payment Waiver From the Local Finance Board**

Mr. Grant stated that the maximum amount of the wireless safety network bid is approximately \$5,300,000 if the Borough chooses all of the possible components of the bid. He added that is why the bond ordinance being introduced tonight is for \$5,500,000.

Ms. Thomas added that the Borough will be making application to the Local Finance Board to waive the down payment for Bond Ordinances 2007-7 and 2007-9 which combined are \$18,000,000.

#### **Amending No Parking Ordinance for Hazlitt Avenue**

Mr. Grant stated that he has pulled this item from tonight's agenda as the area in question is already included in the Borough code for no parking.

#### **NJ Transit's Bus Shelter Advertising Program**

Mayor Alter stated that he is not in favor of any kind of advertising in the Borough's bus shelters.

The governing body concurred with the Mayor.

Ms. Thomas to respond to New Jersey Transit.

#### **A Green Committee**

Mayor Alter stated that The US Conference of Mayors has an **Executive Session** **February 8, 2007**

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energy savers guide. The Borough's hybrid vehicles and solar panels were included in the guide. Numerous towns gave ways to cut down on energy bills. He would like to form a citizens committee to see what ways the Borough could potentially save money. He is recommending that Fred Heller chair the committee and that Mr. Heller would take two members of the Planning Board to work with him. He added that Mr. Heller can be tough but he is competent.

Mr. Pohan stated that Mr. Heller resigned from the Planning Board because he wasn't able to allocate the time needed for the board.

Mayor Alter replied that Mr. Heller is better suited for this because he can set up meetings at his own convenience without the regimentation that was required to sit on the Planning Board.

Mayor Alter will form "A Green Committee" and let Fred Heller chair it. Mr. Heller will pick two members of the Planning Board to work with him.

#### **Defibrillators**

Mr. Sokolich stated that he believes the Borough has more liability by not having defibrillators available at the Fort Lee Community Center than if there were no defibrillators at all. He believes that the Borough is going to have a problem some day on this issue. He believes there is more liability to the Borough by not having defibrillators in place. There is a large number of people using the facility daily.

Ms. Thomas to speak to the Bergen County Joint Insurance Fund to get their opinion on this issue.

Mayor Alter expressed concern that if the Borough had defibrillators and that the employees are untrained with using them that the Borough will actually have more liability than if it never had any defibrillators at all.

### **Amending Ordinance for Repair of Sidewalks and Curbs**

Ms. Thomas stated that Erik Swanson, Building Subcode Official, is requesting an amendment to the Borough's ordinance that eliminates only the escrow fees for one and two-family homes.

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Mr. Cervieri added that by amending the ordinance the Borough still has the ability to put liens on the property holders when needed.

Mr. Cohen to prepare an appropriate ordinance for introduction at the February 22<sup>nd</sup> regular meeting.

### **Community Center Pedestrian Walkway**

Mr. Sokolich stated that with the children coming out of the community center that there should be some sort of pedestrian walkway between the community center and Sixteenth Street.

Ms. Thomas to speak to the Police Department to look into Mr. Sokolich's request.

### **Whitehall Towers - Amendment #2 to Developers Agreement**

Mr. Cohen stated that the amendment for Whitehall Towers reflects an address change from 2020 Central Road to 2050 Central Road.

A resolution approving amendment #2 will be placed on tonight's regular meeting proposed consent agenda.

Mayor Alter and Mr. Grant will execute the amendment after the resolution is approved at tonight's meeting.

**Endorsing Grant Application for the Fort Lee Housing Authority**

A resolution endorsing a grant application for the Fort Lee Housing Authority for the acquisition of property at 2486 8<sup>th</sup> Street for the Fort Lee Assistance and Support Housing Corporation will be placed on tonight's regular meeting proposed consent agenda.

**Mutual Aid Resolution for Tonight's Regular Meeting (CA-5)**

Mr. Pohan made a couple of grammatical corrections to the resolution that was prepared by Mr. Grant for tonight's regular meeting.

**PUBLIC PARTICIPATION**

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

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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  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, January 25, 2007 @7:00 p.m.**

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

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

**ABSENT:** Councilman Villano

**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 4, 2007, 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 5, 2007, 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 2007 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

Pending Litigation: Vincent Surace vs. Borough of Fort Lee

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Notice of Lien Against Fort Lee Middle School Field

Contracts: Time Warner Cable  
Mutual Aid  
Verizon Wireless Telecommunications Site

RFQ's: Borough Planner  
Computer Consultant  
Programming Consultant for the Community Center  
Purchasing Consultant  
Special Counsel  
Traffic Engineer  
Conflict 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.

## GENERAL DISCUSSION

### Awarding Bid for the Provision of Roadway Improvements for Main Street and Hudson Terrace

A resolution awarding bid for roadway improvements for Main Street and Hudson Terrace at a cost of \$11,486,324 will be placed on tonight's regular meeting proposed consent agenda.

The resolution as prepared by the Borough Attorney has a caveat that the resolution shall not be effective until such time as the Local Finance Board grants an approval for the waiving of the down payment for bond ordinance #2007-7 and that the requisite estoppel period after the bond ordinance is adopted has expired and all appeals if filed have been resolved.

### Residency/Non-Residency at the Fort Lee Community Center

Mayor Alter stated that Ray Levy and he are not in agreement about letting outside vendors use the Fort Lee Community Center.

He added that it is up to the Mayor and Council to approve or disapprove what type of events/vendors are going to be allowed at the community center. He believes that outside vendors should be allowed to use the community center.

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It was agreed that if it rains during the summer music and movie series and the event has to be staged indoors that non-residents would be allowed indoors to attend the event.

Ms. Thomas added that the Borough is covered by insurance for events staged at the community center and that there are formal rules and regulations that have been adopted by the Borough for the use of the community center.

### Borough Grants

Mr. Sokolich asked Ms. Thomas for a disposition of the Borough's grants.

He stated that it can be a large source of income for municipalities if applied for properly.

Ms. Thomas handed out an inventory of the grants that the Borough has applied for and/or received funds since the beginning of 2006.

Ms. Thomas added that there are grants the Borough applies for on its own without the help of its grants coordinator such as Bergen County Community Development Block grants. She will be sending a complete list of grants the Borough has applied for and received over the last few years to the Mayor and Council.

### **Defibrillators**

Mr. Sokolich requested that this item be placed on the next executive session for discussion.

### **Advertising for Bids for a Trailer Mounted Generator for the DPW**

A resolution authorizing the Purchasing Consultant and/or Borough Clerk to advertise for bids for a trailer mounted generator for the DPW will be placed on tonight's regular meeting proposed consent agenda.

### **Mobile Command Post Communications Equipment Bid**

A resolution awarding bid to IPC Command Systems, Inc, for mobile command post communications equipment at a cost of \$91,580 will be placed on tonight's regular meeting proposed consent agenda.

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The money for this project will be paid out of the Police Department's confiscated funds account.

### **Purchase of a Hybrid Vehicle for the Health Department**

A resolution authorizing lease/purchase of a 2007 Ford Escape from Winner Ford, State Contract #59544, for the Health Department at a cost of \$25,576 will be placed on tonight's regular meeting proposed consent agenda.

### **Beautification Committee Appointment**

Mayor Alter will nominate Fort Lee High School student Olga Gorlova as a Beautification Committee member at tonight's regular meeting.

## Community Center Website Proposal

A proposal has been sent in by Virtual Town Pages to design a Website exclusively for the Fort Lee Community Center at a cost of \$1,700. The Website will be linked to the Borough's Website.

There were no objections by the Mayor and Council to the proposal.

### PUBLIC HEARINGS SCHEDULED FOR JANUARY 25, 2007

- Ord. #2007-1--Establishing Chapter 357, Article I, Storm Sewers - Illicit Connection Ordinance
- Ord. #2007-2--Amending Chapter 388, Section 53, Schedule IX, "Stop Intersections" - Placement of Stop Sign Southbound on Marguerite Street at Summit Avenue
- Ord. #2007-3--Amending Chapter 388, Section 43, Schedule I, "No Parking" - East Side of Anderson Avenue 75 Feet of Westview Avenue
- Ord. #2007-4--Amending Chapter 289, Section 36, "Residential Permit Parking"(RPP) to Include Section J(1) for Commercial Merchants and Contractors to Secure a Business Permit and for the Payment of Fees to Work Legally in a RPP Zone
- Ord. #2007-5--Amending Salary Ordinance #2006-46 - Establishing Salary & Wages for White Collar Employees (Schedule A) Public Nurse

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- Ord. #2007-6--Amending Salary Ord. #2006-47 - Establishing Salary and Wages for Department Heads, Borough Administrator, Borough Clerk, Chief Financial Officer, Tax Assessor, Tax Collector and Certain Non-Union 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 7:55: p.m.

Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, January 11, 2007 @8:00 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, Sargenti, Kasofsky, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
J. Sheldon Cohen, Borough Attorney  
Bernard Hart, Director of Public Safety  
(Open Portion of the Meeting Only)

**MAYOR'S STATEMENT**

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

1. On January 4, 2007, 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 5, 2007, 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 2007 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: Building Department  
Community Center  
Police Department Records Room

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\_\_\_\_\_ Recreation Department Seasonal Employees

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**

**Amending Salary Ordinance 2006-47 for Department Heads and Certain Non-Union Employees**

Mayor Alter stated that he received a proposal today from an

outside firm to audit salaries. The Borough Auditor does not want to audit his own work. All the facts should be in front of him and the entire governing body. A lot of people agree on the interpretation of the language that Mr. Cohen as labor attorney believes was bargained for. There is an active labor dispute with the department head union.

Mr. Pohan believes that the auditor should check that the salaries were correct from 2005 which figures were used for the 2006 through 2009 calculations.

A resolution authorizing the hiring of Donohue, Gironde & Doria, Bayonne, New Jersey as a special auditor to review department head salaries for a fee not to exceed \$4,000 will be placed on the January 25<sup>th</sup> regular meeting proposed consent agenda.

### **Centuria Update**

Mr. Sokolich stated that one question that residents constantly ask about is what is going on with with Centuria. He asked if there was some sort of an update from someone that the Mayor and Council could get to relay information to the Borough residents.

Mayor Alter replied that he has had conversations with Centuria. The process could take about eight months to a year if Centuria wants to make application for a major change for what they have already been approved for. Their sales office has people saying they are getting ready to build. They have an approved project at this time and can build as is at this point. He along with the governing body will continue to work for the best things for the community with regard to any changes that

**Executive Session**

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Centuria may want to make.

### **Main Street Initiative**

Mr. Sokolich stated that he is not happy with what the Borough has done so far with Main Street. He is going to investigate some other options. He believes that Main Street is in dire need of help.

Mayor Alter added that there are murky areas with regard to the ordinance the Borough approved last year with regard to design standards for Main Street.

Mr. Cervieri spoke to additional floor spacing for occupants without the need for additional parking spaces.

Mayor Alter responding to Mr. Cervieri indicated that the idea of giving out friendly variances could be a problem.

Ms. Thomas stated that the Borough needs to start some type of program soon.

#### **Placement of Fence in Front of Whitey Lang Park**

Mr. Sokolich stated that a fence needs to be installed in front of Inwood Terrace Park. He said that a lot of kids run from the park and put themselves in danger of running out onto incoming traffic on Anderson Avenue. He believes that a posted beam would work ideally.

Mr. Cervieri suggested taking the fence at Monument Park and moving it to Inwood Terrace.

Ms. Thomas to work with Tony Leone, DPW Director, to get a fence placed in front of Whitey Lang Park.

#### **RFQ's for Various Professional Services**

Mr. Grant spoke to the various professional services contracts that still need to be awarded.

A discussion also ensued to having an RFQ in place for a conflict attorney.

These items to be brought back for the January 25<sup>th</sup> executive session for further discussion.

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#### **Employee Assistance Program**

A resolution authorizing a professional services agreement with the Bergen County Employees Assistance Program at a cost of \$20.00 per employee will be placed on tonight's regular meeting proposed consent agenda.

#### **Amending Stop Intersections on Fairmount Place and Briar Way**

Mayor Alter asked that an audit of all the Borough stop signs be done. His requested was conveyed to Mr. Hart.

The request to amend stop intersections will be on hold until the Police Department does its audit.

**Funding for Main Street and Hudson Terrace Roadway and Traffic Signal Improvements**

Mayor Alter stated that the Borough ran into a problem with regard to awarding a contract in a timely fashion for the aforementioned subject. He added that Mr. Grant has been given the responsibility to make sure bid deadlines are complied with so as not to have the Borough run into any legal problems.

Mr. Grant added that the three bidders for the Main Street project have all agreed to hold their bid prices in writing through February 20th.

**Beautification Committee Appointment**

Mayor Alter stated that the will be nominating Catherine Golfinopoulos, a long-time Borough resident, to the Beautification Committee for a three-year term through 2009 during tonight's regular meeting.

**Local Assistance Board Appointment**

Mayor Alter stated that he will be nominating Joan Alter to the Local Assistance Board for a one-year term through 2007 during tonight's regular meeting.

**PUBLIC PARTICIPATION**

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

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

Neil Grant, RMC  
Borough Clerk