

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, December 3, 2009 @ 6:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date at the Jack Alter Fort Lee Community Center, 2nd Floor Meeting Room, 1355 Inwood Terrace, Fort Lee, New Jersey.

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

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Frank Regan, Esq. for DeCotiis, et al.
Paul Phillips, Borough Planner

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On November 24, 2009, a copy of said change in the scheduled starting time for the open portion of the meeting was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

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/RESOLUTION

R-1 - Re-Petition of the Borough's Third Round Housing Element and Fair Share Plan to COAH (Action May be Taken on This Item)

Paul Phillips, Borough Planner, stated that in conjunction with the change of ownership on the property currently known as Action Motors, the number of affordable housing units will be increased by a little less than 50% on the total number of units in the building which has been increased from 60 to 140 units. There is has also been slight change in the spending plan.

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

A Resolution of the Governing Body of the Borough of Fort Lee, Bergen County, New Jersey, Re-Petitioning with an Amended Housing Element and Fair Share Plan

WHEREAS, the Planning Board of Borough of Fort Lee, Bergen County, State of New Jersey, ("the Planning Board") adopted an amended Housing Element, Fair Share Plan and Spending Plan on November 23, 2009; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the amended Housing Element, Fair Share Plan and Spending Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee, Bergen County, State of New Jersey, ("the

Borough") hereby endorses the amended Housing Element, Fair Share Plan and Spending Plan as adopted by the Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.4, submits this re-petition for substantive certification of the amended Housing Element, Fair Share Plan and Spending Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough authorizes and endorses a motion to be made to the Council for a waiver from the Council's rules and for approval of the Spending Plan, apart from the Council's review of the Borough's re-petition for substantive certification in order that the Borough may implement that aspect of its Fair Share Plan as detailed in the Spending Plan; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan, including the names and addresses of any objectors, has been included with the re-petition; and

BE IT FURTHER RESOLVED that notice of this re-petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Executive Director of the Council on Affordable Housing indicating that the submission is complete and that a copy of this resolution, the adopted amended Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Fort Lee municipal clerk's office located at 309 Main Street, Fort Lee, NJ 07024 during the hours of 8:30 a.m. to 4:00 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

The Resolution was **approved unanimously.**

GENERAL DISCUSSION CONTINUED

New Law Affecting Members of Local Authorities, Boards and Commissions

Mr. Grant stated S-1426/A-2784 was recently enacted by the state legislature which requires the Municipal Clerks to create and maintain a directory of municipal entities, their membership and vacancies. He added that he has been doing this for years and it's posted on the website with updates approximately every three months or as needed.

He added that the creation of a form to permit citizens to apply for service on municipal entities must be established. This form will be known as the (Citizenship Leadership Form). He will be using the template that the State sent him and will have the form available by Monday, December 7th.

Scheduling of Reorganization Meeting/January 2010 Meetings

The Mayor and Council agreed that the Reorganization Meeting for 2010 will be held on Thursday, January 7th at 5:00 p.m. The first Executive Session and Regular Meeting of the New Year will be held on January 14th beginning at 6:00 p.m.

Lighting Console Bid for Community Center

Ms. Thomas stated that one bid was received for the lighting console that was originally destroyed by lightening. The bid came in at \$44,665 which price will be covered by the insurance money the Borough has received.

Mr. Grant added once the bid is reviewed by the Borough Attorney and if it's deemed compliant, then it will be put on the December 17th regular meeting agenda for action.

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 17, 2009

- Ord. #2009-40--Capital Ordinance for Additional Funding for Roadway Improvements to Main Street and Hudson Terrace – \$1,000,000
- Ord. #2009-41--Amending Chapter 388, Section 43, Schedule I, No Parking on a Portion of Bridle Way Northbound at the Apex of Bridle Way and Cumbermeade Road
- Ord. #2009-42--Amending Chapter 388, Section 58, Schedule XIV, to Remove Glen Road at Route 5 as a No Left Turn and to Amend Chapter 388, Section 51, Schedule VII, to Include Glen Road Northbound Between Columbia Avenue and Bluff Road as a One-Way Street

Ord. #2009-43--Amending Chapter 410, "Zoning, Article XII" Signage and
Facades by Adding Section 51.1 Entitled Designated Architect

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Cliff Gold 555 North Ave.	.BUCA	Mayor Sokolich

There being no further discussion the meeting was adjourned
on motion by Councilman Cervieri, seconded by Councilman Sohmer,
at 6:48 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, November 5, 2009 @ 7:00 p.m.

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

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

ABSENT: Councilman Sargenti

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Health Department
Municipal Court

Property Negotiation/Potential Litigation: Daibes -
COAH Fair Share Plan

Litigation: Garbage/Recycling Services Contract

Use and Occupancy of Borough Owned Property Adjacent to
1265 Briar Way

Contracts: Time Warner Cable
Leaf Removal
Scribe Labs

RFQ's for 2010 Professional Services

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

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

Council President Sohmer chaired the meeting until Mayor Sokolich returned at 8:45 p.m.

PUBLIC HEARING

Ordinance #2009-39 Financial Agreement Between The Borough and CCM Urban Renewal Company, LLC for Property Located at 475 Main Street (Malcolm Towers)

On motion by Councilman Pohan, seconded by Councilwoman Kasofsky and carried, the public hearing was opened relative to Ord. #2009-39 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT AND RELATED DOCUMENTS BY AND BETWEEN THE BOROUGH OF FORT LEE AND CCM URBAN RENEWAL COMPANY, LLC FOR PROPERTY LOCATED AT 475 MAIN STREET, FORT LEE ALSO KNOWN AS LOT 1 IN BLOCK 4457 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE."

Nina Levinson, 1560 West Street, asked what the agreement was about.

Mr. Cohen replied that this was a negotiated agreement between the Borough and the developer, which agreement increased a tax pilot agreement from 6.5% to 11% so that the developer can renegotiate their mortgage. The lease is co-extensive with the PILOT agreement, and the property must remain as Federal Section 8 Housing.

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

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

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

GENERAL DISCUSSION

Billboards - Paul Fader, Esq. in Attendance

After a brief discussion Mr. Cohen stated that Mr. Pohan would have no conflict listening to this proposal; even though, Mr. Pohan is the governing body's representative to the Planning Board. It was established that Mr. Fader's client would be making his presentation to the Zoning Board of Adjustment so the question of Mr. Pohan listening to this matter became moot.

Mr. Fader stated that his client David Klein is preparing an application to the Board of Adjustment which will request the placement of a digital billboard sign by the Holiday Inn in Fort Lee. He just wanted to give the Mayor and Council a chance to see what his client, Klein Outdoor Advertising, will be presenting to the Board of Adjustment. He has made these types of presentations in the past to other governing bodies as a professional courtesy. He added that it's his belief that the sign would have no visual negative impact. The sign rotates every eight seconds so in effect eight advertisements can be seen every 64 seconds.

Mr. Klein stated that he's prepared to give one of the eight second slots to the Borough for its exclusive use, the term of the lease which would run 20 years. The Borough's portion of the sign could display emergency situations and/or give the Borough

an opportunity to advertise its own events.

Discussion also ensued about the 65 foot height and 48 foot width of the billboard as well as whether it would effect neighbors in the residential areas above the billboard on Jones Road. Mr. Klein added that the sign would be shut off between the hours of 12:00 midnight and 6:00 a.m. Also discussed was whether the signs in 8 second increments would be an effective advertising tool.

Mr. Klein closed by stating that he has received the required State approvals from the New Jersey Department of Transportation.

Mr. Cervieri stated that the Borough's ordinance does not allow for billboard signs.

Mr. Fader thanked the governing body for its time.

Volunteer Fire Department Dinner

A resolution authorizing payment for the Fire Department inspection dinner to The Rockleigh for a minimum of 250 people at a cost of \$132.00 per person will be placed on the November 12th regular meeting proposed consent agenda.

Developers Agreement with Dyker Ridge, LLC at 2142 North Central Road

A developer's agreement as prepared by the Borough Attorney's office for the above named and addressed property will be placed on the November 12th regular meeting proposed consent agenda.

Bid Discussion for Firefighters Personal Escape System

Ms. Thomas stated that Kevin Conti, Esq. from Mr. Cohen's office wrote a letter indicting that the lowest bidder AAA Emergency Supply Co., Inc., took various exceptions to the equipment required to be provided. The second lowest bidder Rescue Products International, Inc. took no exceptions and has a compliant bid. The recommendation of Mr. Conti and the Fire

Department is that Rescue Products should be awarded the bid at a cost of \$66,955.

Ms. Thomas stated that there is money available for the purchase from a capital account.

A resolution awarding the bid to Rescue Products International, Inc. as prepared by Mr. Conti will be placed on the November 12th regular meeting proposed consent agenda.

Potential Purchase of a Fire Truck

Ms. Thomas stated that a resolution to advertise for bids for a pumper tanker foam unit for the Fire Department will be placed on the November 12th regular meeting proposed consent agenda.

She added that bonding will be needed to be put in place at the beginning of next year so that the purchase can be made.

The Mayor and Council and Borough Administrator are aware that the National Fire Protection Agency has added more stringent emission regulations for fire trucks purchased in 2010.

Mayor Sokolich returned to chair the remainder of the meeting at 8:45 p.m.

Amendments to Borough Traffic Ordinances on Glen Road at Route 5 Between Columbia Avenue and Bluff Road as Well as No Parking on a Portion of Bridle Way Northbound

Mayor Sokolich stated that the traffic amendments requested by the Police Department will be productive.

Mr. Grant added that the ordinances call for establishing a one-way street on Glen Road northbound between Columbia Avenue and Bluff Road and prohibiting parking on a portion of Bridle Way at the apex of Bridge Way and Cumbermeade Road.

Towing Ordinance Out of Town Calls

Mr. Cervieri stated that he clarified with Mr. Grant today that if a person calls for their own car to be towed then the Borough's present ordinance allows for that.

Mr. Grant will speak to the Police Department traffic division to make sure that if someone is towed by a Fort Lee towing company that person has the right to have their car towed to another towing area outside of the Borough once they have paid the proper fees to the Fort Lee towing company.

Design Consultant/Façade Improvement

Ms. Thomas stated that the Borough's Sign/Façade Review Committee has been referring applicants to Do Chung. She added that Mr. Cohen has suggested that the Borough name Mr. Chung as the official design consultant for the committee. Applicants who would need Mr. Chung's services would pay him directly. The Borough would not be paying Mr. Chung.

Mr. Pohan asked if this would actually be a professional service's contract and need to be treated like a RFP.

Mr. Cohen replied that it falls more into sole sourcing. The Borough is not obligated to do a RFP through a fair and open process.

Mayor Sokolich and Ms. Thomas both stated that he would be used sparingly as the design work recommendation would only be needed for complicated design/façade projects.

Ms. Thomas added that Barbara Klein, Planning and Zoning Administrator, has the prices listed on her application packets.

Scheduling of Public Meetings for Redevelopment Proposals for Redevelopment Area 5

Mayor Sokolich stated that within the next week information from all four potential developers will be posted on the Borough's web-site. People will be able to go directly to the Borough's web-site and download the information or make an OPRA request directly to the Borough Clerk's office.

He added that within the first two weeks of December four special meetings will be held where each applicant will be able to present their proposals to the residents. It will be a conceptual presentation followed by a question and answer period.

Once the Mayor and Council decides on the dates, Mr. Grant will send out the required legal notices informing the public of the meetings, which meetings are expected to be held at the Jack Alter Fort Lee Community Center.

PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 12, 2009

Ord. #2009-36--Amending and Supplementing Chapter 388, Sections 14 and 69 of the Code of the Borough of Fort Lee by Deleting Handicapped Spaces on Main Street by Fire House #3 and at 2051 Edwin Avenue

Ord. #2009-37--Clarifying and Amending Chapter 324, Various Sections of Rent Control (Rent Decreases, Rebates and Assessment of Penalties)

Ord. #2009-38--Amending Chapter 388, Sections 14 and 69 Placement of a Handicapped Parking Space by 2132 Linwood Avenue

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Redevelopment Area 5 Proposals	Mayor Sokolich Mr. Cohen
Charles Sobel 2175 Hudson Terrace	.Rent Control	Mayor Sokolich Mr. Pohan
	.Lack of Parking on Hudson Terrace During Winter Months	Mayor Sokolich Mr. Sohmer Kay Nest

There being no further discussion the meeting moved back into closed session **on motion by Councilman Sohmer, seconded by Councilwoman Kasofsky**, at 9:12 p.m. to discuss the following two issues.

Contracts: Time Warner Cable
Scribe Labs

There being no further discussion the closed portion of the meeting was re-opened to the public and with no public present the meeting was adjourned **on motion by Councilman Sohmer, seconded by Councilman Goldberg**, at 9:30 p.m.

Neil Grant
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 15, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On October 13, 2009, a copy of said change in the scheduled starting time for the open portion of the meeting was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

On motion by Councilman Sohmer, seconded by Councilwoman Kasofsky, the meeting was convened.

Parking Authority (Added on Item)

Kay Nest, Executive Director of the Parking Authority and Gloria Gallo, Parking Authority Administrator, presented two

checks to the Mayor and Council in the amounts of \$100,769 and \$7,162 which checks represent the profit sharing agreement the Borough has in place with the Parking Authority. The \$100,769 check was for 2008 and the \$7,162 check is the amount due from 2005 which was recently brought to the Parking Authority's attention by their auditor.

INTRODUCTION OF ORDINANCE

Ordinance #2009-39 - Financial Agreement Between The Borough and CCM Urban Renewal Company, LLC for Property Located at 475 Main Street (Malcolm Towers)

Mr. Cohen stated that CCM Urban Renewal Company, LLC, needs to close their financial documents by October 30th. An ordinance is needed because of the land and easement issues.

Mayor Sokolich stated that this ordinance basically ratifies the agreement the Borough recently negotiated with them.

Mr. Cervieri asked if their financial commitment expires on October 30th. He also asked Mr. Cohen about the \$50,000 they agreed to put into streetscaping.

Mr. Pohan stated that he prefer not to have a special meeting before the Borough's next executive session scheduled for November 5th. He feels that CCM should get their financial commitment extended beyond October 30th.

It was agreed by the Mayor and Council that the following ordinance would be introduced and such public hearing on the ordinance should be scheduled for the November 5th executive session meeting.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2009-39 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT AND RELATED DOCUMENTS BY AND BETWEEN THE BOROUGH OF FORT LEE AND CCM URBAN RENEWAL COMPANY, LLC FOR PROPERTY LOCATED AT 475 MAIN STREET, FORT LEE ALSO KNOWN AS LOT 1 IN BLOCK 4457 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **November 5, 2009**.

GENERAL DISCUSSION/RESOLUTIONS

R-1 - Advertising for Bids for a Light Console at the Jack Alter Fort Lee Community Center

Ms. Thomas stated that the lighting console at the Jack Alter Fort Lee Community Center was struck by lightning. A replacement console will be paid for by the insurance money the Borough receives. Nelson Page has recommended that a larger console be purchased. The passing of this resolution only authorizes the Borough to go out to bid.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Purchasing Consultant and/or Borough Clerk are hereby authorized and directed to obtain specifications and advertise for bids or purchase through State contract for:

- . Light Console for the Jack Alter Fort Lee Community Center

The Resolution was **approved unanimously**.

R-2 - Bid Discussion for Electrical Project for the Borough's Telecommunication System

Ms. Thomas stated that item relates to the Borough's telecommunication project.

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

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT FOR THE SUPPLY AND INSTALLATION OF DEDICATED ELECTRIC SERVICES

WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") previously determined to improve the Borough's public safety radio communications system; and

WHEREAS, on prior occasion, pursuant to resolution and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Borough solicited bids for the provision of a wireless public safety communications network and awarded a contract to M/A COM, Inc.; and

WHEREAS, on prior occasion, pursuant to resolution, the Borough authorized the execution of a Lease Agreement with the 440 Company - Carriage House, L.P. ("Carriage House") to serve as one of two locations in the Borough with optimal transmission and receiving capabilities as the basis for the Borough's wireless public safety communications system; and

WHEREAS, the Borough has determined that it is necessary to obtain services of a licensed electrician to provide electrical services for the delivery of power to the equipment room on the roof of the building as part of the public safety communications network project; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") are desirous of contracting for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and

WHEREAS, on prior occasion, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Borough solicited bids for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and

WHEREAS, on October 7, 2009, bids were received in response to the Borough's public solicitation from the following bidders:

Weaver Electric, Inc. 626 Avenue E Bayonne, New Jersey 07002	\$49,250.00
VA Electrical Contractor 11 Haviland Drive Millstone Township, New Jersey 08535	\$57,710.00
Lisco Electric Co., Inc. 100 Sullivan Street Westwood, New Jersey 07675	\$94,000.00

Northern State Electric Co., Inc. \$98,000.00
20 Muller Place
Little Falls, New Jersey 07424

; and

WHEREAS, the Borough has determined that the bid submitted by Weaver Electric, Inc. ("Weaver") is in compliance with the requirements of the bid specifications and that Weaver constitutes the lowest responsible and complying bidder for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and

WHEREAS, the Borough has reviewed its available funds and has determined that sufficient funds are available to award a contract for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and

WHEREAS, the Borough has determined that the award of this contract is necessary for its efficient operations,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that Weaver Electric, Inc., 626 Avenue E, Bayonne, New Jersey 07675, is the lowest responsible and complying bidder and is awarded the contract in accordance with the applicable bid documents and specifications for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and;

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute a contract with Weaver for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for the supply and installation of a dedicated electric services at the Carriage House as part of the Borough's public safety radio communications system through Bond Ordinance #2007-9; and

BE IT FURTHER RESOLVED that the bid security of the all remaining bidders shall be returned in accordance with the requirements of the Local Public Contracts Law; and

BE IT FURTHER RESOLVED that a copy of this Resolution, the original bid proposals and contract are available in the Borough Clerk's Office.

The Resolution was **approved unanimously**.

GENERAL DISCUSSION CONTINUED

Billboards

Mayor Sokolich stated that Paul Fader, Esq. has asked that this item be discussed in closed session on November 5th because it involves a contract. At this time the Mayor's position is that this not a pending contract and any conversation involving billboards should be heard in open session.

Mr. Cohen concurred with the Mayor.

It was agreed that this item shall be placed back on the November 5th executive session in open session. It's anticipated at this time that Mr. Fader will be attending the November 5th meeting.

Purchasing Cooperative (Middlesex)

Mayor Sokolich stated that this purchasing cooperative relates to the purchase of energy.

Ms. Thomas stated that the Borough already joined the New Jersey Sustainable Energy Joint Meeting (NJSEM) cooperative back in July. The Borough has previously joined the Middlesex Purchasing Cooperative to purchase recreation type equipment including field turf. The cooperative being recommended by the requestor is for energy, but she feels that there is no reason to join a second energy cooperative. She added that the NJSEM is expected to go out to bid for energy in December.

Verizon Sources of Income

There was no discussion on this item tonight.

Purchase of a Fire Truck for the Fire Department

Jeff Silver, Fire Department Battalion Chief, and Lane Goldstein, Fire Department representative, were present for this portion of the meeting.

Mr. Sargenti stated that the bid specifications for a new fire truck recently came in.

Ms. Thomas stated that the bid specifications were prepared by East/West Apparatus. She added that the Borough has not gone out to bid for this item at this time because there is no money for the purchase.

Mr. Goldstein, stated that the Borough's consultant for this project was very careful not to create bid specifications that would favor one particular vendor over another.

Mayor Sokolich stated that having multiple bids would insulate the Borough.

On questioning by Mr. Cervieri, Mr. Goldstein stated that the Borough's consultant is working with the Borough of Ridgefield on a different kind of truck. He added that the NFPA regulations have been upgraded for 2009 and will be further upgraded in 2010 with regard to emissions for new fire trucks.

Bid Discussion for Firefighter Personal Escape System

Mr. Grant stated the Borough Attorney's office is still reviewing the bids.

This item is to be placed back on the November 5th executive session agenda for discussion.

Objection to Borough's Third Round Housing Element and Fair Share Plan

Mr. Cohen stated that there has been a general objection for almost every housing element plan submitted to COAH by a public interest group. He's working on decoupling the Borough's spending plan from the Borough's COAH plan so to have more housing ultimately get built.

Mayor Sokolich stated that if the public advocacy group is ultimately successful in their lawsuit then it could cause havoc.

Mr. Cohen added that no one knows where COAH's regulations are headed.

PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 12, 2009

- Ord. #2009-36--Amending and Supplementing Chapter 388, Sections 14 and 69 of the Code of the Borough of Fort Lee by Deleting Handicapped Spaces on Main Street by Fire House #3 and at 2051 Edwin Avenue
- Ord. #2009-37--Clarifying and Amending Chapter 324, Various Sections of Rent Control (Rent Decreases, Rebates and Assessment of Penalties)
- Ord. #2009-38--Amending Chapter 388, Sections 14 and 69 Placement of a Handicapped Parking Space by 2132 Linwood Avenue

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
	Mayor Sokolich left at this point in the meeting at 7:25 p.m.	
	Mr. Sohmer chaired the remainder of the meeting.	
Nina Levinson 1560 West St.	.Malcolm Towers PILOT	Mr. Cervieri Mr. Pohan
Charlie Sobel 2175 Hudson Terrace	.Rent Leveling Update	Mr. Sohmer Ms. Thomas
	.Ord. #2009-37 Pending Rent Leveling Amendment	Mr. Cohen Mr. Pohan Mr. Cervieri Ms. Thomas

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sargenti, at 7:32 p.m.

Neil Grant, RMC
Borough Clerk

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved unanimously, the meeting moved 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 Overview

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

There being no further discussion the meeting reconvened into open session and with no public present the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, at 7:50 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 1, 2009 @ 6:00 p.m.

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

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

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

ABSENT: Peggy Thomas, Borough Administrator

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On September 24, 2009, a copy of said change in the scheduled starting time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Health Department

Contract/Potential Litigation: Garbage/Recycling Services Bid

Contract: Police Department Arbitration Settlement

Property Acquisition: Raymond Bandlow, Fort Lee School Board Superintendent, in Attendance

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

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

ENGINEERING DISCUSSION

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

Abbott Boulevard Pedestrian Pathway

Mr. Mignone stated that the NJDOT has informed him to change the scope of the project for which the Borough will be receiving a grant for a pedestrian pathway is very difficult. Also, the work cannot be done in-house.

Mayor Sokolich suggested that the area between the new police memorial on Riverdale Drive running northbound to Fireman's Park through Tom Hunter Road should be the area the Borough should improve by updating the pedestrian pathway as well as the bushes around the pathway.

Modifications to the Ambulance Corps Floor

Mr. Mignone stated that the new ambulances being built which the Ambulance Corps are looking to purchase will not fit into the garage at the Ambulance Corps building. He has received a proposal from Pulice/Williams Architects, to evaluate the lowering of the Ambulance Corps garage floor.

Mayor Sokolich added that one of the promises the Borough made to the Ambulance Corps when starting the ambulance reimbursement program was to spend funds the Borough received by having such a program in place.

The Mayor and Council on the recommendation of Mr. Mignone agreed that a resolution authorizing Pulice/Williams to prepare a feasibility study and to do initial design work to potentially make the modifications to the garage floor at a cost not to exceed to \$6,000 should be placed on the October 8th regular meeting proposed consent agenda.

Additional Funding for the Main Street/Hudson Terrace Road Improvement Project

Mr. Iannaconi stated that the Borough will need to borrow upwards of \$1,000,000 to finish the Main Street/Hudson Terrace Road Improvement Project. The money the Borough eventually receives from Bergen County will not go against the Borough's debt. The Borough will also get back 50% of what it spends for the remainder of the project from the Port Authority.

Mr. Mignone stated that he's still reviewing the documents sent in by the contractor Creamer/Sanzari to see what he thinks the Borough owes.

Mr. Iannaconi added that a bond ordinance will have to be introduced at the November 12th meeting so it gets approved before the end of this year.

Emergency Sewer Repair at 1050 Harvard Place

Mr. Grant stated that emergency sewer repairs were made at 1050 Harvard Place by Gotthold Paving, LLC, Edgewater, New Jersey on September 22nd.

A resolution authorizing payment to Gotthold Paving in the amount of \$35,355.00 which included rock excavation will be placed on the October 8th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Endorsing Bergen County Community Development Application for Improvements to Whitey Lang Park

A resolution endorsing a Bergen County Community Development Block Grant application in the amount of \$175,000 for improvements to the American Little League field in Whitey Lang Park on Anderson Avenue will be placed on the October 8th regular meeting proposed consent agenda.

Verizon Sources of Income

Mayor Sokolich asked that this item be placed on the October 15th executive session agenda for discussion.

Garbage/Recycling Services Bid

This item was discussed in closed session.

A resolution awarding the bid for a five year solid waste collection and recycling services contract will be placed on the October 8th regular meeting proposed consent agenda.

Purchase of a Land Rover for the Police Department

Mr. Grant stated that this item went out to bid two times, the first time the lone bidder was non-compliant and the second time there were no bidders; therefore, the Borough is legally allowed to negotiate for the purchase of a Land Rover for the Police Department.

The Mayor and Council expressed no objections for the purchase of a Land Rover for the Police Department.

A resolution awarding a contract to Prestige Land Rover, 401 Route 17 South, Paramus, New Jersey, to purchase a Land Rover in

the amount of \$31,578 will be placed on the October 8th regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 8, 2009

Ord. #2009-32--Amending Chapter 410, Zoning, Article XII, Signage and Facades

Ord. #2009-33--Amending Chapter 388, Section 43, Schedule I, No Parking, Starting at Main Street and Continuing 255 Feet South on Both Sides of Maple Street

Ord. #2009-34--Amending Chapter 55, by Establishing Section 28, Entitled "Fire Watch Program"

Ord. #2009-35--Bond Ordinance for Firefighting Equipment – \$225,000.00

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 Goldberg, seconded by Councilman Sargenti**, at 8:55 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 17, 2009 @ 7:00 p.m.

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

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti (Arrived at 8:20 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 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Police Department School Crossing Guards

Personnel Policies and Procedures Manual - New Jersey
Paid Family Leave Act

Malcolm Towers P.I.L.O.T. - Kevin Hartley, Tax Assessor
and Steve Muhlstock, Esq., in Attendance

Potential Litigation: Garbage/Recycling Services Bid
BCUA Billing
Public Intoxication Ordinance
(MSOK)
Rent Control Ordinance

RFP's for Redevelopment Area 5 (Evaluation Form)

Rent Leveling Appeal (Hekmat vs. RVT Realty, LLC)

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 Rebate Ordinance - Rent Control

Mayor Sokolich stated that the Borough looked at an unpublished decision made by Jonathon Harris, Bergen County Superior Court Judge, who wrote that rent control board decisions were penal in nature, and overly large rebates should not be imposed. He believes that the Borough should respond by amending its current ordinance with regard to rent decreases, rebates and assessment of penalties.

Mr. Cohen stated that the Borough's ordinance did not have a statute of limitations and the new ordinance will allow the Borough's Rent Leveling Board no longer than six years to impose penalties.

The governing body concurred that the Borough should amend its rent rebate control ordinance.

An ordinance as prepared by Mr. Cohen's office will be placed on the October 8th regular meeting for introduction.

Rent Control Ordinance

Mr. Sargenti arrived at 8:20 p.m. at this point in the meeting.

Mayor Sokolich stated that the Borough is waiting for certain analysis to be done by Kevin Hartley, Tax Assessor and Mr. Cohen which he has begun. He asked Mr. Cohen when he expects is analysis to be completed.

Mr. Cohen replied that it's a very complex issue.

Matt Shapiro, 2007 Linwood Drive, asked the Mayor and Council what issues are being looked into.

Mr. Cohen replied that the Borough is look at constitutionality issues. He looks at all post ordinance decisions and then checks to see if the Borough's ordinance as currently written is compliant.

Mr. Pohan stated that the initial memo received from Mr. Hartley was not particular clear as it left out what he believes is certain pertinent information such as protected tenancy.

Mayor Sokolich left at this point in the meeting at 8:25 p.m.

Verizon Sources of Income

This item to be placed back on the October 1st executive session agenda for discussion

Developers Agreement for Dyker Ridge, LLC at 2142 North Central Road

Mr. Cohen stated that this is an update to an old developer's agreement.

A resolution as prepared by Mr. Cohen's office will be placed on the October 8th regular meeting proposed consent agenda.

Piping for Fifth Street for Fire Hydrant in the Borough of Englewood Cliffs

Mr. Grant stated that United Water is requesting the approval of having of 45 feet of ductile piping on an unimproved section of Fifth Street in the Borough so that a fire hydrant could be placed in the Borough of Englewood Cliffs.

Mr. Grant added that United Water makes the request, but there is no guarantee that the applicant will pay for it based on the cost. If that is the case then the resolution the Borough passes would cease until the requestor agrees to all of United Water's terms and conditions. This is a little unusual in that piping has to be placed in the Borough so that the fire hydrant could actually be placed in Englewood Cliffs.

A resolution authorizing the Borough's approval for the project to United Water will be placed on the October 8th regular meeting proposed consent agenda.

Meeting Time for October 8th Regular Meeting

The Mayor and Council agreed that the starting time for the October 8th regular meeting should be changed from 8:00 p.m. to 7:00 p.m.

Mr. Grant will send out the required legal notice with regard to the change in stating time.

Rescinding Two Handicapped Parking Spaces

Mr. Grant stated that the Police Department after reviewing certain handicapped parking spaces located at 2051 Edwin Avenue and the north side of Main Street by Fire Co. #3 have requested that the handicapped parking spaces be rescinded as the people who originally requested them have moved.

An ordinance rescinding the handicapping parking spaces indicated will be placed on the October 8th regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 8, 2009

Ord. #2009-32--Amending Chapter 410, Zoning, Article XII, Signage and Facades

Mr. Cervieri noted that the proposed ordinance has no exclusions for realtor signs when properties are for rent or sale.

Mr. Pohan replied only a few sections of the current sign ordinance are being changed; therefore, the current Borough ordinance for signs with regard to items other than the changes being made will remain unaffected.

Mr. Grant stated that he will speak to Matt Jakubowski, Borough Planner, and report back to the Mayor and Council with regard to the sign and façade changes being made.

Ord. #2009-33--Amending Chapter 388, Section 43, Schedule I, No Parking, Starting at Main Street and Continuing 255 Feet South on Both Sides of Maple Street

Ord. #2009-34--Amending Chapter 55, by Establishing Section 28, Entitled "Fire Watch Program"

Ord. #2009-35--Bond Ordinance for Firefighting Equipment - \$225,000.00

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Matt Shapiro 2007 Linwood Drive	Rent Control Constitutionality Landlord Income MAP/Rent Increases Dual Portion of Rent	
	Tax Assessor's Input	Mr. Pohan
Charles Sobel 2175 Hudson Terrace	Pransky Report 1990's Soft Rental Market Delayed Too Long Reduction in Maximum Rent Increase	

Nina Levinson
1560 West Street

Signage and Facade
Ordinance

Mr. Pohan
Ms. Thomas

Rent Leveling Ordinance
Taxes/Utilities Cost

Dave Steetz
Future Sanitation

Garbage/Recycling Bid

Mr. Cohen

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

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 3, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 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: Recreation Department Seasonal Employees

Tax Appeal Litigation: Bank of America at 2088 Lemoine Avenue

Potential Litigation: Denial of a Taxi Owner's License

Contract: Malcolm Towers P.I.L.O.T

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

Fire Department - Fire Service Certified Training as Sanctioned by the NJ Division of Fire Safety

Ms. Thomas stated that she and Mr. Sohmer met with the Fire Department with regard to the training that they want to offer to their members, and that they are comfortable with the Fire Department doing the training in conjunction with the NJ Division of Fire Safety's certified training program.

Jeff Silver, Fire Department Battalion Chief, stated that the classes are for the Fort Lee Fire Department members only. The classes can and will be given at any of the fire houses or the DPW offices as needed.

Ms. Thomas added that there are no insurance risk issues by offering the training. The Englewood Cliffs Fire Department is already certified by the Division of Fire Safety.

A resolution approving the Fort Lee Fire Department to conduct fire service certified training as recognized and sanctioned by the New Jersey Division of Fire Safety will be placed on the September 10th regular meeting proposed consent agenda.

Fire Watch Ordinance

Ms. Thomas stated that Mr. Cohen has reviewed the pending Fire Watch Ordinance. The Borough is trying to find middle

ground with regard to how much it will allow the Fire Department to charge for providing temporary fire department personnel to buildings when emergencies occur.

Steve Curry, Fire Chief, stated that the Fire Chief can designate a fire watch when there is an emergency situation. He added that the service has been provided for years on an informal basis and he's looking to formalize the program.

Messrs. Cohen and Curry concurred that the Borough is using the Township of Clark's ordinance as a guide in creating an ordinance for the Borough.

Mr. Curry added that that there is no known definition to define a fire watch and that there are certain tax issues that come into play.

Mayor Sokolich stated that having this program does not mean that the Borough is converting to a paid Fire Department.

The Mayor and Council concurred that the hourly fee should be \$40.00 per hour with a minimum of four hours per the number of people the Fire Official designates to be at the scene.

Mr. Cervieri added that there is no cost to the public. The insurance companies pay for it or individual civic groups pay for the service as needed.

Mr. Goldberg added that if a civic group has more than 100 people they can avail themselves to a fire watch even if there is no emergency.

It was agreed by the Mayor and Council that a Fire Watch Ordinance as prepared by the Borough Attorney will be placed for introduction at the September 10th regular meeting.

Fire Department Equipment

Ms. Thomas stated that she and Mr. Sohmer met with the Fire Department with regard to certain antiquated fire equipment that they are currently using; i.e., fire gear, boots and pagers.

Mr. Curry stated that he was just made recently aware of a recently enacted law from the Fire Protection Association that

mandates after ten years from the manufacturers date that certain fire equipment must be replaced.

Mr. Sargenti asked if the equipment has to be replaced at this point in time.

Mr. Curry handed out a sheet which shows a breakdown of equipment that will be needed to be purchased for the next ten years.

Ms. Thomas stated that there has been no capital ordinance done in the past two years. This would be a relatively small bond ordinance.

The Mayor and Council agreed that a bond ordinance in the amount of approximately \$200,000 to pay for the needed fire equipment should be introduced at the September 10th regular meeting.

ENGINEERING DISCUSSION

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

Abbott Boulevard Pedestrian Pathway

Mr. Mignone stated that the grant money the Borough has for this project has to be used to make physical improvements. There could be also some signage improvements. He will be speaking to the NJDOT to see if some of the grant money can be reallocated for other improvements.

This item to be placed back on the September 17th executive session agenda for discussion

Bids for Roadway Improvements to North Avenue and Eighth Street/Construction Inspection Services for Boswell McClave Engineering

Mr. Mignone stated that the Borough has \$250,000 in grants to make the roadway improvements to North Avenue and a portion of Eighth Street. The lowest compliant bidder, English Paving's bid, was \$197,119 which included alternate (a).

Mr. Mignone added that Boswell McClave Engineering submitted a proposal to do the inspection and close out work for the project in the amount of \$15,000 which he believes is a reasonable price for the work that they are going to do.

Resolutions awarding the bid to English Paving to make the roadway improvements and authorizing Boswell McClave to perform the inspection services for the project for the amounts listed above will be placed on the September 10th regular meeting proposed consent agenda.

Middlesex Regional Educational Cooperative Purchasing System

Mr. Mignone recommended that the Borough join the Middlesex Regional Educational Cooperative Purchasing System because it will afford the Borough the opportunity to purchase recreation equipment and artificial turf at a lower price than if the Borough was going to purchase these items on its own. There is no cost to join the purchasing cooperative.

A resolution authorizing the Borough to join the purchasing cooperative will be placed on the September 10th regular meeting proposed consent agenda.

Authorizing Agreement with Rutgers to Prepare an Energy Efficiency and Conservation Strategy Plan

Mr. Mignone stated that the Borough is looking to enter into a services agreement with Rutgers University which will then prepare a comprehensive strategy/energy plan for the Borough. The fee is not expected to exceed \$20,000 for their services which the Borough will pay from a grant.

A resolution authorizing the Borough to enter into a services agreement with Rutgers University will be placed on the September 10th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Purchase of Computer Equipment for the Police Department Through the Police Department's Law Enforcement Technology Equipment Grant

Ms. Thomas stated that the Police Department has requested the purchase of computer equipment so as to upgrade its internal communication's system with the department's police vehicles.

A resolution authorizing the purchase of the computer equipment through New Jersey State contract from Hewlett-Packard, Omaha, Nebraska, in the amount of \$35,602 which is being paid through the Police Department's law enforcement technology equipment grant will be placed on the September 10th regular meeting proposed consent agenda.

Web-Site Design

Mr. Cervieri stated that he sent an e-mail to the Mayor and Council, Borough Administrator and Borough Clerk regarding web-site notification systems. He stated that the notification systems are not unique to any particular company. Mr. Cervieri sent everyone a syllabus of courses taken by his cousin, Michael Cervieri. His cousin does web-site work for many Fortune 500 companies.

It was agreed that Michael Cervieri should be brought in to discuss his ideas to a sub-committee of the governing body, Ms. Kasofsky, Ms. Thomas and Mr. Sohmer, regarding a Borough wide web-site notification system.

Abandonment of Liquor License for Engine Company #1

Mr. Grant stated that Fire Company #1 has submitted a letter requesting that their liquor license be abandoned.

A resolution approving the abandonment of the liquor license will be placed on the September 10th regular meeting proposed consent agenda.

Extension of Police Department Station House Adjustment Grant

A resolution authorizing the Borough's continued participation with the State of New Jersey Juvenile Justice Commission Program for the Police Department's stationhouse adjustment program will be placed on the September 10th regular meeting proposed consent agenda.

ADA Sign for Post Office (Added on Item by Mr. Sohmer)

Mr. Sohmer informed the Mayor and Council that the ADA committee has requested that a non-handicap accessible sign be placed in front of the Main Street Post Office so that disabled residents are made aware that they might not be able to get inside the Main Street Post Office.

Mr. Sohmer added that the post office's position has been that the Anderson Avenue post office is handicap accessible and therefore the Main Street office does not need to be upgraded.

Mr. Cervieri suggested that Mr. Cohen initiate a suit on behalf of the Borough to have the Main Street Post Office made handicap accessible.

Mr. Goldberg suggested that Congressman Rothman's office be made aware of the situation.

There was no objection from the Mayor and Council regarding the placement of the sign at the post office entrance.

Health Department (Added on Item by Ms. Kasofsky)

Ms. Kasofsky asked that the Borough's Health Department code with regard to turning on heat be looked into. The code currently mandates that heat can be supplied beginning September 15th. She stated that if one person or a group of people complain in a residential building, it's very conceivable that the heat might have to be turned on in an entire building before the legally mandated October 15th date.

Richard Sierra, 555 North Avenue, Mediterranean Cooperative Board Member, stated that it takes three to four days to convert to heat because of a two pipe system. Legally, heat must be on by October 15th, but he believes if the September 15th date could be pushed back it would be helpful to his cooperative as well as other residential buildings in the Borough.

Mayor Sokolich asked Mr. Cohen to look into the ordinance to see if any changes can or need to be made.

PUBLIC HEARING SCHEDULED FOR SEPTEMBER 10, 2009

Ord. #2009-28--Amending Chapter 261, Land Use Procedures, Appendixes A,B,C
Which are Checklists for Development Applications, Fees and Escrow Funds and
Establishing an Environmental Questionnaire

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 Sohmer,
at 8:52 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, August 13, 2009 @ 5:00 p.m.

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

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

ABSENT: Councilman Sargenti

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On July 24, 2009, a copy of said change in the scheduled starting time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Potential Litigation: Appeal to the Mayor and Council for the Denial of a Taxi/Limousine Driver's License

Contract Negotiations: Parking Garage on Main Street
Malcolm Towers PILOT

Discussion of RFP's for Redevelopment Area 5 (Centuria)

Tax Appeal Litigation: 2175 Hudson Terrace (RVT Realty)

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

Endorsing Submission of a TWA Application with the NJDEP for Lawton Avenue Sanitary Sewer and Storm Drainage Improvements for Cliffside Park and Fort Lee

A resolution authorizing execution of a Treatment Works Approval application for the State of New Jersey Department of Environmental Protection, for sanitary and storm drainage improvements to Lawton Avenue in Cliffside Park plus Glen Road in Fort Lee will be placed on tonight's regular meeting proposed consent agenda.

GENERAL DISCUSSION

Additional Depository for the Borough

Ms. Thomas stated that Joseph Iannaconi, CFO, has requested that Wachovia/Wells Fargo Bank, Fort Lee branch, be added as an additional depository for the Borough of Fort Lee.

A resolution authorizing Wachovia/Wells Fargo Bank, Fort Lee, as an additional depository for the Borough will be placed on tonight's regular meeting proposed consent agenda.

Rent Leveling Ordinance

Mayor Sokolich stated that he and the governing body are waiting for an analysis from the Tax Assessor from a financial stand point if the Borough changes its rent leveling ordinance to lower its current allowable rent increase.

It was agreed that this item would be placed back on the September 17th executive session for further discussion.

Mr. Pohan requested that Mr. Cohen draft a memo with regard to the Borough's current rent leveling ordinance and how it relates to the law.

Amendments to Zoning Ordinance, Signage & Facades

Mr. Cervieri spoke about tenancy if one shop owner changes a facade does it force an entire strip mall to change all of its facades.

Mayor Sokolich replied that would not be in the spirit of the how the ordinance should work. He would consider that it to be onerous to property owners. The ordinance as written does not distinguish the example that Mr. Cervieri used.

The ordinance as prepared by the Borough Planner shall be placed on the September 10th regular meeting for introduction.

No Parking Along Both Sides of Maple Street, North of the Exit Ramp From Route 1

An ordinance prohibiting parking on both sides of Maple Street, north of the exit ramp from Route 1, commonly known as Route 46 east, to Main Street, will be placed on the September 10th regular meeting for introduction.

Temporary Signage Pending Developments/Exception to Sign Ordinance

Mayor Sokolich stated that properties that have fencing around it and that have banners throughout the fencing are actually in violation of the Borough's current sign ordinance because they are using more sign square footage than allowed.

Mr. Cervieri suggested that commercial property owners should be compelled to use screening that would limit lettering. Also the colors of the banners should be of an earth tone nature.

Mayor Sokolich used the Maggiano property on Main Street as an example where the banner in the fencing is very nice and looks much better than just having fencing but actually is not in compliance with the Borough code.

Mr. Sohmer spoke to having a time frame in place where commercial property owners could use bannering.

Ms. Thomas added no matter what is done it has to be maintained.

Ms. Thomas added that the flag banners have come in and will soon be placed throughout Main Street.

Mayor Sokolich stated that he will speak to Matt Jakubowski, who works for the Borough Planner with regard to amending the Borough's sign ordinance.

Billboard Signage

Mayor Sokolich spoke to an outside advertising firm which would like to place a billboard sign in the parking lot of the existing Holiday Inn. The billboard sign would be triangular with a servicing message that would be facing westbound on Route 4 east. He asked if the Borough would consider it.

Mr. Sohmer replied that the new Starbucks on Route 4 east wanted to use the old Shell gasoline sign and they were not allowed to use it. They had to use a smaller sign.

Mr. Pohan stated that the Borough has a sign ordinance that allows certain signs in the C-5 zone. Applicants have a remedy currently in place.

Mr. Cervieri stated that double billboard signs are prohibited.

Ms. Kasofsky added that if a sign is prohibited then that's the way it is. She was not in favor of letting a non-conforming billboard sign be placed in the parking lot of the Holiday Inn.

Battle of the Bulge World War II Monument

Mayor Sokolich stated that a few Jewish War veterans have asked for a Battle of the Bulge Monument to be placed south of the Korean War Monument.

Mr. Cervieri stated that looking at the pictures of the proposed monument it looks like a tombstone.

Mr. Pohan stated that the Borough has already honored the veterans in a dignified way with the World War II monument placed in front of Borough Hall.

Mr. Cervieri added that the Borough also has Veteran's Park on Abbott Boulevard.

Mr. Goldberg asked if there is one area where all of the monuments that are being requested could be placed. He concurred with Mr. Pohan's statement about the Borough already having a World War II monument.

Mr. Sohmer requested that this item be tabled.

The Mayor and Council concurred with his request.

The Mayor and Council took no action with regard to the potential placement of a monument tonight.

2010 United States Ironman Championship

Mayor Sokolich stated the 2010 United States Ironman Championship will be held on August 14, 2010 in New York and New Jersey. A portion of the race route will be held on Hudson Terrace. There will be no cost to the Borough as all security is paid for by the event organizers.

Multimedia Municipal Messaging System

Ms. Kasofsky spoke to a free messaging system that the Borough of Oradell is currently using. She stated that it's free to government entities.

Ms. Thomas stated that the company offering the service uses advertising and it sells similar services for internal messaging to private companies.

Mayor Sokolich, Ms. Kasofsky and Ms. Thomas will speak to Wolfgang Albrecht, Oradell's Borough Administrator.

Purchase of Notebook Computers and Info-Cop Client Software for the Police Department

Resolutions authorizing purchase of sixteen notebook computers and twenty software packages to be used by the Police Department for its vehicles will be placed on tonight's regular meeting proposed consent agenda. The cost for the notebook computers is \$104,222.00 and the cost for the software is \$24,000. Both items are being purchased through the Police Department's law enforcement technology equipment grant.

Approving Developers Agreement for Ellery West, LLC.

A resolution approving a developers agreement for Ellery West, LLC for property located at 2171-2177 Edwin Avenue and 481-485-487 West Street as prepared by the Borough Attorney will be placed on tonight's regular meeting proposed consent agenda.

Endorsing Four (4) Bergen County Community Development Applications for the Fort Lee Housing Authority

Mr. Grant explained that these are grant applications the Fort Lee Housing Authority requests at this time every year. They are to make improvements to the Harry J. Holtje House and to cover operating expenses for the housing authority to run its FLASH Corporation.

Resolutions endorsing four Bergen County Community Development grant applications for the Fort Lee Housing Authority

will be placed on tonight's regular meeting proposed consent agenda.

Fire Department - Fire Service Certified Training as Sanctioned by the NJ Division of Fire Safety

Mr. Cervieri asked if the Borough will have to absorb any costs by hosting the training. He added that the one advantage is that Fort Lee would not have to send their firefighters to other training centers.

Ms. Thomas requested that this item be pulled off of tonight's regular meeting proposed consent agenda because there are some questions that need to be answered regarding the Fire Department's volunteer status if this is approved.

It was agreed to take this item off of tonight's regular meeting proposed consent agenda.

Rejecting Bid for a Land Rover for the Police Department

Mr. Grant stated that the lone bidder for this item did not have a compliant bid.

A resolution authorizing rejection of bid and authorizing rebid for a Land Rover for the Police Department will be placed on tonight's regular meeting proposed consent agenda.

Mold in Borough Hall (Added on Item)

Ms. Thomas stated that hand trenching was done on the outside of Borough Hall. The old cement pipes were actually creating their own drainage system. It has now been filled in. New drains are being added and additional waterproofing should be completed by the end of the month.

A change order for some additional work that had to be done will be placed on the September 10th regular meeting for action by the Mayor and Council.

Whitey Lang Park Baseball Field (Added on Item)

Mayor Sokolich stated that the renovation of the American League ball field is being done with limited expenditure to the Borough. The field which is going to have an all weather playing surface is also being made handicapped accessible. It's expected that there will be disabled softball and baseballs leagues using the field on a semi-regular basis. He added that the curbing is completed and that the grading of the field is almost done. He's very proud of the Borough personnel who are working on the project.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 13, 2009

Ord. #2009-28--Amending Chapter 261, Land Use Procedures, Appendixes A,B,C Which are Checklists for Development Applications, Fees and Escrow Funds and Establishing an Environmental Questionnaire (**Motion to Postpone**)

Ord. #2009-29--Vacating a Portion of Euclid Road

Ord. #2009-30--Amending Chapter 388, Sections 14 and 69 Placement of Handicapped Parking Spaces by 319 Slocum Way and 1176 14th Street

Ord. #2009-31--Amending Chapter 388, Section 43, Schedule I, No Parking From a Point 580 Feet South of the Southern Curb Line of Myrtle Avenue for a Distance of 980 Feet South Along the West

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 Cervieri, seconded by Councilman Pohan,** at 7:13 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, July 16, 2009 @ 5:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On July 10, 2009, a copy of said change in the scheduled starting time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Municipal Court

Contracts: Malcolm Towers P.I.L.O.T.

Financial Advisor for Redevelopment Area 5
(RFP)

American A-1 Waterproofing

Contract Negotiation: Parking Garage on Main Street

Litigation/Collective Bargaining - PBA Arbitration Award

Litigation: Tax Appeal - 1641 Bergen Boulevard

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

Proposed Speed Humps on Kingsland Avenue in Ridgefield

Ms. Thomas stated that she sent this item to Sgt. Bendul for review and she has not received a report back from him yet.

Mr. Sargenti stated that he's against letting Ridgefield install the speed bumps as it can damage to the Borough's emergency services fleet of vehicles.

The governing body concurred with Mr. Sargenti.

Ms. Thomas will inform the Borough of Ridgefield of the Borough's decision.

GENERAL DISCUSSION

St. Rocco's Festival

A resolution authorizing the St. Rocco's Italian Mutual Aid Society to hold their annual feast from August 5th through August 9th on Martha Washington Way will be placed on the July 23rd regular meeting proposed consent agenda.

Rent Leveling

Mr. Cervieri stated the Mayor and Council have asked the Tax Assessor to quantify the potential tax revenue that the Borough could lose if the Borough lowers its maximum percentage increase allowed in its current ordinance.

Charles Sobel, 2175 Hudson Terrace, stated that vacancy decontrol has not been used since 1993. He added that rent increases are either 5% or if the Maximum Allowable Percentage (MAP) is used anywhere from 2% to 3.5%.

Mr. Cervieri replied that there is a significant impact with a much larger disparity if the allowable rent for newly vacated units was calculated since 1993 as opposed to an annual increase of 5%. The base is still low and the increase would be much higher.

Mr. Pohan stated there is no vacancy decontrol on rental apartment.

Mr. Sobel replied that there is no vacancy decontrol on a converted building. When a tenant renews their lease the apartment unit is restricted to rent control of 5%.

Mr. Cervieri asked Mr. Sobel how many non-converted units are there in the Borough.

Mr. Sobel estimated that there are 2,000 non-converted units in the Borough.

Mayor Sokolich stated that he will place this item on the August 13th executive session agenda as well as future executive session meeting agendas until a conclusion is reached

by the Mayor and Council.

The governing body wants to know the ramifications on tax structure. Over 50% of the residents may be using the (MAP) formula already.

Amendments to Zoning Ordinance, Signage & Facades

Ms. Thomas stated that this item deals with escrows and additional signage that has been requested by the Sign and Façade Committee.

The governing body asked that this item be placed back on the August 13th executive session meeting agenda for discussion.

Bid Discussion for Portable Changeable Message Sign for the Police Department

Ms. Thomas stated that this purchase will be paid through the Police Department's Confiscated Funds Account.

A resolution awarding a bid to Traffic Safety Service L.L.C, South Plainfield, New Jersey for four (4) portable changeable message signs for the Police Department at a cost of \$54,036.00 will be placed on the July 23rd regular meeting proposed consent agenda.

Bid Discussion for Solid Waste Disposal Service

Ms. Thomas stated that the bid calls for tipping fees over the next five years.

Mr. Cohen stated that the bids cannot be split up.

Mr. Cohen and Ms. Thomas will be analyzing and reviewing the bids for compliance and will make a recommendation before next week's regular meeting.

Placement of Greater Fort Lee Chamber of Commerce Video on Borough's Website

Ms. Thomas stated that Craig Weinstein, Greater Fort Lee Chamber of Commerce President and professional realtor, requested that a short video he made about the Borough be placed on the Borough's website.

Mr. Cervieri stated that the video does not reflect what Fort Lee is about as it's slanted towards commercial purposes.

The Mayor and Council agreed that the video should not be aired on the Borough's website.

New Jersey Sustainable Energy Joint Meeting

Ms. Thomas stated that this program is a purchasing cooperative that will allow multiple municipalities to purchase electricity in bulk. There is a \$600.00 fee to join the New Jersey Sustainable Energy Cooperative and the Borough can opt-out of any individual buy, but it has to initially join the cooperative in order to take advantage of the cooperative's rates.

Mr. Goldberg asked what kind of energy type is being used as some consortiums with low prices use only coal which is not good for the environment

Ms. Thomas replied that the consortium will give the Borough the opportunity to purchase its electricity at a lower rate and will offer the Borough renewable (green) energy sources.

A resolution authorizing the Borough to join membership into the New Jersey Sustainable Energy Joint Meeting program at a cost of \$600.00 will be placed on the July 23rd regular meeting proposed consent agenda.

Interlocal Agreement with the Borough of Cliffside Park

A resolution authorizing Mr. Cohen to prepare a memorandum of agreement on behalf of the Borough of Fort Lee which will allow the Borough of Cliffside Park to purchase fuel for fifteen of their police vehicles for approximately one year while they build a new public works garage will be placed on the July 23rd regular meeting proposed consent agenda.

Liquor License Transfer from Joseph Kerr (Inactive) to Asia Explorers LLC at 1636 Palisade Avenue

Mr. Grant explained that the Police Department has reviewed and approved the above listed liquor license for transfer. He added that because the license has been inactive for more than two years a Special Ruling from the State ABC needs to be done before the Borough can transfer the liquor license.

Mr. Grant added once the Special Ruling is received from the State a resolution renewing Mr. Kerr's liquor license as well as a resolution transferring his license to Asia Explorers LLC will be placed on a regular meeting agenda for action.

Handicapped Parking Spaces for 319 Slocum Way and 1176 14th Street

An Ordinance establishing handicapped parking spaces for the locations listed above as approved by the Police Department will be introduced at the July 23rd regular meeting.

Extending No Parking Zone Along the West Curb Line of Hudson Terrace by the North Driveway of 2200 North Central Road

The Police Department after reviewing the Borough existing ordinance has requested that the current ordinance be amended to increase the site lines by an additional 80 feet at the above listed location.

An Ordinance amending the no parking area along the west curb line of Hudson Terrace by Myrtle Avenue will be introduced at the July 23rd regular meeting.

Financial Advisor for Redevelopment Area 5 (RFP)

No action was taken on this item tonight.

Mr. Cohen will prepare a resolution authorizing the hiring of a financial advisor to review the financial statements of expected submitters for Redevelopment Area 5 which proposals are due back to the Borough on Friday, July 31st.

The resolution will be voted on by the governing body at the July 23rd regular meeting.

PUBLIC HEARINGS SCHEDULED FOR JULY 23, 2009

Ord. #2009-26--Amending Chapter 388, Sections 14 and 69 Placement of a Handicapped Parking Space by VFW Post #2342 Entrance at 1646 Center Avenue

Ord. #2009-27--Amending Chapter 388, Section 43, Schedule I, No Parking From a Point 550 Feet South of the Southern Curbline of Myrtle Avenue for a Distance of 984 Feet South

Ord. #2009-28--Amending Chapter 261, Land Use Procedures, Appendixes A,B,C Which are Checklists for Development Applications, Fees and Escrow Funds and Establishing an Environmental Questionnaire

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Lenore Javier 2339 Hudson Terrace	.Tickets Received for Parking on Snow Covered Streets During the Winter	Mayor Sokolich Ms. Thomas Mr. Sohmer Mr. Cervieri Mr. Sargenti
Charles Sobel 2175 Hudson Terrace	.Prohibited Parking Between December 1 st - March 31st	
Nina Levinson 1560 West Street	.Prohibited Parking .Financial Advisor for RFP for Redevelopment Area 5 .Loading Zones in Residential Areas	Mayor Sokolich Mayor Sokolich
Matt Shapiro 500 Linwood Drive	.Rent Leveling/Non-Seniors	Mayor Sokolich Mr. Pohan

Mr. Shapiro stated that current market rents that landlords can achieve are less than the amount that rent control allows for under the existing ordinance.

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti, seconded by Councilman Cervieri**, at 7:15 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 18, 2009 @ 6:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On June 8, 2009, a copy of said change in schedule time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sohmer, 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: Sign/Façade Enforcement Officer
Clean Communities
Health Department
EMT's

Malcolm Towers PILOT

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

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

ENGINEERING DISCUSSION

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

Vacation of a Portion of Euclid Road

Mayor Sokolich recused himself on this matter.

Mr. Mignone stated that he along with Boswell McClave have surveyed the center easement based on the as-built conditions.

Ms. Thomas stated that the governing body had been undecided about reintroducing the ordinance that had been previously tabled.

The governing body agreed to reintroduce an ordinance to vacate a portion of Euclid Road at its July 23rd regular meeting.

Glen Road Construction

Mr. Mignone stated that there is a consent agreement between

the DEP and the Borough of Cliffside Park with regard to their storm/sanitary lines which terminates in Fort Lee. Cliffside Park will be paying for the construction. The Fort Lee Police Department wants traffic directors because a temporary road is going to be placed on Columbia Avenue. He reiterated that all the expenses will be paid for by Cliffside Park.

Energy Efficiency and Conservation Block Grant

Mr. Mignone stated that the Borough along with Teaneck and Hackensack are the only three municipalities in Bergen County who are able to apply for this grant.

Ms. Thomas stated that the Borough is obligated to apply for this grant and will be using Rutgers University as its agent to apply for the grant. Rutgers will be charging the Borough \$2,700 to prepare the grant application.

Kensington (Added on Item)

Mr. Goldberg recused himself on this matter.

It was briefly discussed that the Kensington complex is looking to an agreement similar to what the Borough has with Westgate with regard to reimbursing them for certain services that they supply to their residents.

GENERAL DISCUSSION

Rent Leveling

Mayor Sokolich stated that he has been asked by some citizens to put this on the agenda to see if governing body is willing to make changes to the current rent leveling ordinance.

Charles Sobel, 2175 Hudson Terrace, spoke to a study done years ago at the Council's commission (Joan Pransky Report) which dealt with rent increases vs. cost of living. He stated that rents were rising two times over the Consumer Price Index (CPI) over a ten year period. He spoke about vacancy decontrol in converted buildings, how the MAP formula is applied and how seniors and/or disabled people must qualify based on their gross income. He added that quite a few renters are leaving the

Borough based on the 5% rental increase and the economy. He believes that the Borough's dual formula is an added burden which puts the Borough's Rent Leveling Ordinance in danger. He would like to see the MAP formula in place which he believed worked very successfully for many years.

Mayor Sokolich asked Mr. Sobel if landlords are charging the maximum allowable rent on renewals.

Mr. Sobel replied that landlords are inducing off the street tenants and may be charging them less than 5% to fill their vacancies.

Mr. Pohan stated that the MAP formula tends to run lower than the CPI.

Mr. Sohmer asked what surrounding communities charge.

Mr. Sobel stated that the Township of Teaneck allows for a maximum 4% increase.

Mr. Pohan asked if the dual system is flawed why anyone hasn't attacked it.

Mr. Sobel replied that he believes tenants haven't attacked it because it would end up going to a fixed 5%. The courts have been deciding on a fixed percentage increase rather than one with more calculations.

Mr. Pohan spoke to when the Mayor and Council were going to potentially lower the rent increase to 4% back in 2004, but the ordinance was tabled at introduction. He believes that the 5% rent increase has been a generous amount and he's open to suggestions regarding the entire rent leveling ordinance.

Mr. Sobel replied that he would like to see a formula that actually accounts for actual business costs.

Mr. Cervieri handed out a proposal dated May 6th "Fairness to All", (Available in the office of the Borough Clerk) which he believes would protect all tenants. He said there are twenty two rental buildings in the Borough which covers over 2,000 rental units. His proposal suggests a study to evaluate the effect his proposal would have on the Borough's cash-flow, the income of each tenant to be estimated and HUD rent levels to be assembled and applied to all rental units. He believes that the current

assessments are depressed due to the income approach to value method being used. He believes that the Borough would benefit by upward to \$3,000,000 on the municipal portion of its taxes if his proposal was implemented. He closed by indicating his report notes that "when properties produce greater income the assessed value increases and property taxes will increase. The marginal increased property tax collected will be sufficient to fund the rent subsidy."

Mayor Sokolich asked if rent increases were lowered from the maximum 5% to 4% would it open up for tax appeals.

Mr. Cohen replied affirmatively with regard to affordable housing.

Mr. Pohan asked Mr. Cervieri should the Borough handle the administration of rent leveling.

Mr. Cervieri replied that people should have to qualify for a subsidy. If people chose not to apply for a subsidy then they wouldn't qualify.

Ms. Thomas added that Mr. Cervieri's proposal would be labor intensive to undertake.

Mr. Cervieri concurred that for the first year there would be labor involved.

Mayor Sokolich said that he would consider the study, but the Borough's resources are limited.

Mr. Sobel stated that the Rent Leveling Board has had not heard a hardship application in over ten years.

Mr. Cervieri replied that landlords don't believe that they will get a fair hearing and therefore have not filed hardship applications before the Rent Leveling Board.

This item to be placed back on the July 16th executive session agenda for further discussion.

Farmer's Market

Tom Meyers, Director Cultural & Heritage Affairs, was present for this point in the meeting.

Ms. Thomas stated that a lot of people within the Borough have received calls about moving the Farmer's Market from the Jack Alter Fort Lee Community Center (Community Center). She along with Tom Meyers and Craig Weinstein met with Howard Joh and Andrew Kim with regard to having the Good Nature Fruit Market's owner, Mr. Chang, join the Farmer's Market. The Good Nature Market is across the street from the Farmer's Market and they have not been happy about the market being placed near their location.

Ms. Thomas and Mr. Meyers both concurred that moving the market is not in the best interests of the entire community.

Mr. Meyers added that the market is used to provide vouchers for the disadvantaged and is considered a not-for-profit venture.

Mayor Sokolich asked when the market runs. He asked if the market would draw people if it was moved to the Municipal Parking Lot or Monument Park.

Mr. Meyers replied that the market runs from June through October with usually an extension granted through November.

Ms. Thomas stated that the market did not draw well when the Municipal Parking Lot was first used for the market.

Mr. Meyers added that Monument Park is a great park, but is not the best location or type of park to use for the market.

Mayor Sokolich left at this point in the meeting at 7:25 p.m.

Council President Sohmer chaired the remainder of the meeting.

The governing body concurred that the Farmer's Market should continue to be held at the Jack Alter Fort Lee Community Center.

Stage Equipment for the Jack Alter Fort Lee Community Center

Mr. Sohmer stated that he asked Cheryl Westeyn, Recreation Director, to attend tonight's meeting.

Sam Gahli and Lane Goldstein, Borough employees who will be hooking up the stage equipment, were also present for this portion of the meeting.

Ms. Thomas stated that the Borough received two compliant bids with regard to the stage equipment and a boom truck.

Mr. Goldstein stated several bidders came to the pre-bid meeting, but only one bid was received for the boom truck and one bid for the stage equipment which was comprised of many different items.

Ms. Thomas stated that the bids came in at expected price, but if the bids are awarded there will be no more money left in the \$13,000,000 bond that the Borough has had in place for the Community Center which included the structure of the building and additional furnishings.

The Mayor and Council agreed that a resolution awarding the bid to the complaint bidders should be done later at tonight's meeting when action is being taken.

Use of Community Center (Added on Item)

Mr. Pohan stated that Franco's Metro Restaurant, will be sponsoring the "Bride of Frankenstein" in August as part of the Film Commission's film series and they have requested to put up a VIP tent where they would serve food and liquor.

Ms. Westeyn spoke to when Madonna Church held their 150th anniversary celebration last year at the Community Center.

Ms. Thomas stated there was a one-time exception for Madonna Church for their anniversary celebration and the wine they brought it for the event was served indoors only.

Mr. Grant added that Madonna did not have a required Social Affairs Permit and they should have not brought wine into the Community Center when they held their event last year.

Mr. Cohen stated that the grassy area is considered park land and he believes that no alcohol should be allowed outdoors.

Messrs. Goldberg and Sargenti both concurred that they have a problem with liquor being served outdoors in a park setting.

Mr. Goldberg added that if alcohol is allowed through the required permitting process that such alcohol should only be allowed to be served indoors.

The Mayor and Council concurred that if alcohol is allowed it should be done only indoors.

Mr. Grant added that because Franco's Metro already owns a liquor license they can apply for a catering permit from the New Jersey State ABC but such permit still requires the Borough's authorization so that they could serve liquor indoors.

Fire Prevention Bureau Vehicle

Ms. Thomas stated that Steve Curry, Fire Prevention Sub-Code Official, loses his chief's vehicle after his term as Fire Chief is up at the end of December.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for a new Fire Prevention vehicle will be placed on the July 23rd regular meeting agenda.

Ms. Thomas added that dedicated penalty funds from the Fire Prevention Bureau will pay for the vehicle.

Interlocal Agreement with the Borough of Cliffside Park

Ms. Thomas stated that the Borough of Cliffside Park currently has no DPW yard. They are asking that they be able to fill up fifteen police vehicles with the Borough's gas until such time their new yard is built. Cliffside Park will reimburse the Borough for the gasoline. There is a key system in place to know exactly how much gasoline is being used by Cliffside Park.

DPW Salt shed (Added on by Mr. Cervieri)

Ms. Thomas stated that the retaining wall is very difficult to move and is in bad shape.

Pre-Notification for Seniors When Tax Bills are Due

Mr. Goldberg stated that senior citizens have been approaching him and asking him if there was a way that they can be notified when their taxes are due.

Ms. Thomas stated that Joseph Iannaconi, Chief Financial Officer, based on Mr. Goldberg's request has already sent out payment due date stickers with the quarterly tax bills so everyone including the seniors will know when their taxes are due throughout the year.

Court Remediation Work

Ms. Thomas stated that the Municipal Court office down stairs is currently undergoing mold remediation. The court offices are below ground. Before the walls are closed there would have to be a trench placed in the front of the municipal building so everything could be properly waterproofed. It's an extensive job. She is looking to relocate the court offices until such time the remediation work is properly completed.

Mr. Cervieri asked that Ed Mignone be brought in to discuss the Borough's options. He also added that Hudson City Savings Bank should be looked into as they have an entire floor upstairs floor that is empty.

Ms. Thomas added that she's not confident that waterproofing will do the job. The Borough needs additional working space.

Police Department First Defender Chemical/Drug Identifier (New Jersey State Contract)

Ms. Thomas stated that through the Borough's Police Department's technology grant that the Police Department is requesting to purchase a chemical/drug identifier that scoops up particles of explosives/drugs and analysis them.

Mr. Cervieri asked Ms. Thomas to find out what other Police Department's are using this technology.

It was agreed that a resolution authorizing the purchase of the First Defender chemical/drug identifier from Ahura Scientific, Inc., Wilmington, Maryland, through a NJ State Contract at a cost of \$42,000 will be placed on the July 23rd regular meeting proposed consent agenda.

Potential Change in Meeting Time for July 16th Executive Session

It was agreed at this point in time by the governing body that the July 16th executive session meeting commence at 6:00 p.m. rather than the normal starting time of 7:00 p.m.

Mr. Grant will send out the required legal notice sometime in July once the final starting time has been confirmed.

Bids for Purchase of Stage Equipment for the Jack Alter Fort Lee Community Center (Action Maybe Taken)

See conversation and action taken below.

GENERAL DISCUSSION

(Action maybe or is expected to be taken on the following items)

R-1 - Endorsing Energy Efficiency and Conservation Block Grant

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

A Resolution of Support from the Governing Body Authorizing the Application for the Energy Efficiency and Conservation Block Grant Under the Provisions of the American Recovery and Reinvestment Act

WHEREAS, the Energy Efficiency and Conservation Block Grant under the provisions of the American Recovery and Reinvestment Act presents the Borough of Fort Lee with a unique opportunity to improve the energy efficiency of the community, reduce its greenhouse gas emissions and create or maintain jobs in difficult economic times; and

WHEREAS, the Borough of Fort Lee strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Fort Lee fully supports the goals of Governor Corzine's Energy Master Plan which aims at reducing energy consumed by 20% by the year 2020 and reducing the demand for electricity at peak load periods; and

WHEREAS, the Energy Efficiency and Conservation Block Grant funding, if approved by the U.S. Department of Energy, will provide resources that enable the Borough of Fort Lee to make progress on energy efficiency and sustainability,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee, Bergen County, State of New Jersey, authorizes the submission of the aforementioned Energy Efficiency and Conservation Block Grant application; and

BE IF FURTHER RESOLVED, that the Borough Assistant Engineer is authorized on behalf of the Governing Body of the Borough of Fort Lee to prepare and submit documents and serve as the contact between the Borough of Fort Lee and the Department of Energy.

The Resolution was **approved unanimously.**

R-2 - Authorizing Hiring of Five (5) Seasonal Employees for Clean Communities

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

WHEREAS, spring/summer seasonal positions exist within various departments, and the Mayor and Council have determined that the positions should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired as spring/summer help, at the hourly rates of compensation listed below:

<u>Name</u>	<u>Department</u>	<u>Hourly Rate</u>	<u>Starting Date</u>
Chad Klotzkin	Clean Communities	\$7.50	*
Derek Burke	Clean Communities	\$8.00	*
Michael Francolino	Clean Communities	\$8.00	*
Frances McKenna	Clean Communities	\$8.50	*
Pat Cillo	Clean Communities	\$9.00	*

*** Retroactive Starting Date to June 1st**

The Resolution was **approved unanimously.**

R-3 - Authorizing Renewal of Liquor Licenses for 2009-2010

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

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that plenary retail consumption licenses, plenary retail distribution licenses, plenary retail consumption w/broad package privilege, and club licenses for the year **2009/2010** be issued to each of the applicants listed on the attached pages for premises designated opposite their respective names for the distribution or sale of alcoholic beverages.

<i>STATE LICENSE #</i>	<i>LICENSEE</i>	<i>TRADE NAME</i>
0219-33-002-002	143 WEST 99TH ST. CORP.	AIELLO'S HILLTOP
0219-33-004-008	442 MAIN STREET LLC	
0219-33-005-002	ASTER CORPORATION	PLAZA DINER
0219-33-008-010	KIM & YOON INC.	SAN CHON RESTAURANT
0219-44-009-002	9W WINES & SPIRITS LLC	QUENCH WINES & SPIRITS
0219-44-011-004	B.L.W. WORLD INC.	WINE KING LIQUORS
0219-33-012-002	CALLAHAN'S INC.	
	(TWO YEAR SPECIAL RULING RECEIVED BY THE BOROUGH MAY 29, 2008)	
0219-44-014-003	NIPPAN DAIDO USA INC.	
	(TWO YEAR SPECIAL RULING RECEIVED BY THE BOROUGH AUGUST 8, 2008)	
0219-33-016-005	CHRISOVALANTIS INC.	RED OAK DINER
0219-33-019-006	PALAVE ASSOCIATES INC.	SALLY LING'S RESTAURANT
0219-33-020-004	NEW GARDEN WEST CORP.	SILVER POND SEAFOOD RESTAURANT
0219-33-022-004	NEW BANG'S KITCHEN INC.	

<i>STATE LICENSE #</i>	<i>LICENSEE</i>	<i>TRADE NAME</i>
0219-44-023-004	GREAT ATLANTIC & PACIFIC TEA CO.	A&P WINES AND SPIRITS
0219-33-024-003	STUNI INC.	HIRAM'S ROADSTAND
0219-33-025-005	ARAXTHOS INC.	20/20 BAR & GRILL
0219-33-026-003	PIZZA CHEF, INC.	ARMANDO'S
0219-32-027-006	FRANCO B. INC.	FRANCOS METRO RESTAURANT
0219-33-028-007	ZENEX ENTERPRISE CORP.	CHING HWA ROO
0219-44-029-011	FAIRWAY MARKET, INC.	FAIRWAY MARKET GIFT BASKETS
0219-33-030-005	GAM NA MOO, INC.	PHO 32 & SHA BU
0219-44-031-009	LINWOOD WINES & LIQUORS INC.	
0219-33-033-010	NAMPO LLC.	
0219-33-034-004	SLUMBER INC.	HOLIDAY INN - GWB
0219-44-035-005	ANASTASIOS PAPAVALIIOU	
0219-33-036-010	RISTORANTE IL LIMONCELLO LLC	TRIPLE
0219-33-037-003	177 NORTH MARGINAL ROAD INC.	SIGGY'S
0219-44-038-004	K&S DRUG & SURGICAL INC.	JUNCTION DRUGS
0219-33-041-011	JOE & MAX INC.	SO KYO SEAFOOD
0219-33-043-006	MEMRIES INC.	IN NAPOLI
0219-33-049-003	GAM ME OK, INC.	
0219-33-050-004	QUEENS RECIPE, INC.	MAHARANI INDIAN CUISINE

<i>STATE LICENSE #</i>	<i>LICENSEE</i>	<i>TRADE NAME</i>
0219-44-051-005	GOOD NATURE FORT LEE MARKET, INC.	GOOD NATURE FORT LEE MARKET
0219-33-052-007	BROWN WINE BAR, LLC	
0219-31-054-001	FORT LEE ATHLETIC CLUB INC.	FORT LEE ATHLETIC CLUB
0219-31-057-001	HOOK & LADDER CO. #3	HOOK & LADDER CO. #3
0219-44-060-014	THE HUDSON WINE MARKET, INC.	
0219-36-062-004	FORT LEE HOTEL MANAGEMENT INC.	FORT LEE DOUBLETREE

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

The Resolution was **approved unanimously**.

R-4 - Authorizing Renewal of Liquor License for 2009-2010 for Jabadou Inc., at 2027 Lemoine Avenue With Special Conditions Imposed

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

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE 0219-33-006-011, JABADOU INC., t/a TRIBECCA, 2027 LEMOINE AVENUE, FOR THE SALE OF ALCOHOLIC BEVERAGES, FOR THE LICENSING YEAR JULY 1, 2009 - JUNE 30, 2010.

WHEREAS, Jabadou, Inc. t/a Tribeca ("Tribeca") is the owner and was the holder of a plenary retail consumption liquor license for property known as the Tribeca Night Club; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that plenary retail consumption license 0219-33-006-011, Jabadou Inc., t/a Tribecca, 2027 Lemoine Avenue, for the licensing year July 1, 2009 - June 30, 2010 be renewed for the sale of alcoholic beverages with the following Special Conditions imposed on the license:

- a) No patron under 21 years of age shall be permitted on the premises when alcohol is being distributed, to include employees as well;
- b) Security ID's shall be displayed prominently by all employees. The word "Security" shall be printed on the back of the outermost garment.
- c) No admittance into the establishment after 1:45 AM with last call at 2:40 AM. All patrons shall be off the premises no later than 3 AM.
- d) The licensee's parking lot and adjacent sidewalks shall be secured and patrolled by licensee's security personnel to assist in the orderly exiting of patrons.
- e) Licensee shall provide such security control as requested by the Fort Lee Police Department (FLPD). In the event the licensee fails to provide such control Fort Lee shall have the right to prohibit operations.
- f) The "licensed premises" shall be deemed to include adjacent and accessory premises included, but not limited to, the parking lot(s), street, sidewalk and the like.

- g) The video recording system shall be maintained and upgraded as directed by the FLPD, with a minimum hold of 30 days before being re-used or erased.
- h) The licensee shall provide monthly updates to the FLPD of current employee lists, including photographs.
- i) No valet parking shall be provided or offered by licensee.
- j) Licensee shall provide exterior clearing of premises every Saturday and Sunday morning prior to 9:00 AM.
- k) Licensee shall not conduct promotion events on the premises including, but not limited to: discount offerings based on dress, social status, race, ethnicity and the like. There shall be no promotion or sponsored events in coordination with media outlets or private disc jockeys without two weeks prior approval from the FLPD. Further, there shall be no teen nights. Also, there shall be no sports or entertainment related events without two weeks prior approval from the FLPD.
- l) Patrons and employees shall be immediately barred from the premises if they are wearing gang related clothing or gesture in a fashion commonly associated with gang related activity.
- m) Licensee shall immediately notify the FLPD of any action that involves the use of physical force to restrain and/or remove a patron.
- n) Occupancy shall be limited to 550 persons at any given time. With the exception of up to eight (8) articulated events agreed upon annually under separate amendment between Licensee and Fort Lee, occupancy limited to 650 will be permitted.
- o) A minimum of 3 dedicated security personnel shall be employed and on duty during all hours of operation, and an addition 2 security personnel per 100 patrons after the initial 100 patrons.
- p) Failure to comply with any portion of these stipulation shall subject licensee to liability for any cost incurred by such non-compliance, including but not limited to, cost of additional police or other security, and to the revocation of

liquor license.

The Resolution was **approved unanimously**.

R-5 - Authorizing Liquor License Renewals for 2009-2010 for Mac-On Inc., Fairview Equities LLC and Joseph R. Kerr (Inactive Licenses)

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

BE IT FURTHER RESOLVED that the following licenses are hereby renewed with the following condition imposed:

0219-33-040-009 **MAC-ON INC**
0219-33-044-007 **FAIRVIEW EQUITIES, LLC**
0219-33-047-007 **JOSEPH KERR**

"These licenses shall be considered 'ineffective'." Once a Special Ruling is received from the ABC, a resolution authorizing renewal from the municipality can be effectuated. Nothing in this provision shall prevent the licensee from filing an application for place-to-place transfer with the issuing authority to permit this license to be 'effective' at an address approved by the issuing authority.

The Resolution was **approved unanimously**.

R-6 - Approving Mobile Food Truck Owner's License for Mahmoud Mousa, Paterson, New Jersey

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

WHEREAS, an application has been filed by Mahmoud H. Mousa, 162 Union Avenue, Paterson, New Jersey, for a license to operate a mobile food truck in the Borough of Fort Lee; and

WHEREAS, Chapter 273 of the Borough Code provides that the Mayor and Council must approve such license; and

WHEREAS, the applicant has been reviewed and approved by the Fort Lee Police Department for a mobile food truck license,

NOW, THEREFORE, BE IT RESOLVED that upon payment of the applicable license fees and submission of proper liability insurance for the operation of a mobile food truck, the Police Department is hereby authorized and directed to issue a mobile food truck owner's license to Mahmoud H. Mousa at the aforementioned address.

The Resolution was **approved unanimously**.

R-7 - Awarding Bid BLM Productions, Inc and TSK Holdings, LLC for the Purchase of Stage Equipment for the Jack Alter Fort Lee Community Center - \$174,093.70 for BLM and \$52,720.00 for TSK

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

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT FOR THE PURCHASE OF STAGE AND THEATRICAL EQUIPMENT FOR THE JACK ALTER FORT LEE COMMUNITY CENTER

WHEREAS, there exists a need for the Borough of Fort Lee ("Borough") to purchase stage and theatrical equipment for use at the Jack Alter Fort Lee Community Center in providing valuable municipal services to its citizens; and

WHEREAS, on May 6, 2009, pursuant to resolution and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Borough solicited bids for the purchase of stage and theatrical equipment for use at the Fort Lee Community Center; and

WHEREAS, on May 27, 2009 the Borough received bids from the following bidders:

BML Productions, Inc. \$157,360.27

TSK Holdings, LLC d/b/a
Independent Aerial Equipment, Inc. \$ 52,720.00

WHEREAS, BML Productions, Inc. ("BML") bid ninety-three of the ninety-four items that the Borough requested bids, while TSK Holdings, LLC d/b/a Independent Aerial Equipment, Inc. ("TSK") submitted a bid on only one of the ninety-four items; and

WHEREAS, the combination of the two bids provides the Borough with all equipment bid for the Community Center because the single item bid by TSK was the only item that was not bid by BML; and

WHEREAS, the bid specifications specifically provided that bidders were free to bid on any or all of the items listed on the bid proposal sheet; and;

WHEREAS, after a review of the bid submitted by BML, the Borough determined that BML is in compliance with the requirements of the bid specifications and constitutes the lowest responsible and complying bidder for the ninety-three items of stage and theatrical equipment; and

WHEREAS, after a review of the bid submitted by TSK, the Borough similarly determined that BML is in compliance with the requirements of the bid specifications and constitutes the lowest responsible and complying bidder for the single item of stage and theatrical equipment contained in its bid; and

WHEREAS, the Borough has reviewed its available funds and has determined that sufficient funds are available to award contracts for the purchase of stage and theatrical equipment for use in the Jack Alter Fort Lee Community Center; and

WHEREAS, the Borough has determined that the award of a contract to BML for ninety-three items of the ninety-four bid by the Borough and the award of a contract to TSK for the remaining item is necessary for the Borough's efficient operations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey, that a contract be and is hereby awarded to BML Productions, Inc., 1 Aquarium Drive, Secaucus, New Jersey, in the amount of \$174,093.70 for the purchase of ninety-three items of stage and theatrical equipment contained in its bid consistent with the requirements of the Bid Specifications; and

BE IT FURTHER RESOLVED by the Mayor and Council that a contract be and is hereby awarded to TSK Holdings, LLC d/b/a Independent Aerial Equipment, Inc., 565 York Street, Elizabeth, New Jersey in the amount of \$52,720.00 for the purchase of the single item of stage and theatrical equipment contained in its bid consistent with the requirements of the Bid Specifications; and

BE IT FURTHER RESOLVED that the Mayor be and is hereby is authorized to execute contracts with BML Productions, Inc. and TSK Holdings, LLC d/b/a Independent Aerial Equipment, Inc., consistent with the requirements of the Bid Specifications, and pursuant to and in accordance with the provisions of N.J.S.A. 40A:11-1 et seq., for the purchase of stage and theatrical equipment for use in the Fort Lee Community Center for use by Borough personnel in providing valuable municipal services to its citizens; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Borough Clerk and made available for public inspection.

The Resolution was **approved unanimously.**

Malcolm Towers PILOT

No action was taken on this item tonight.

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 8:05 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 3, 2009 @ 6:00 p.m.

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

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

ABSENT: Councilman 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 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On May 11, 2009, a copy of said change in schedule date and time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Goldberg, 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: Clean Communities
Health Department
Recreation Department

Contracts: Land Use, L.L.C. Report
Solid Waste/Recycling Bids

Police Department Grievance - P.O. Antonio Hernandez

Collective Bargaining: Police Department Interest
Arbitrage Decision

Tax Appeal Litigation: 100 Old Palisade Road - 4 Units

SCI Investigation

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

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

ENGINEERING DISCUSSION

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

RESOLUTION

R-1 - Endorsing NJDOT Local Road Improvement Grant for Myrtle Avenue

Mr. Mignone stated that Myrtle Avenue is a roadway that meets the State's criteria because it connects a local road onto a State road. The roadway and sidewalk paving along the west side of Lemoine Avenue would receive the most attention.

Mr. Mignone requested that the Borough pass an endorsing resolution to submit a grant application to the NJDOT for Myrtle Avenue. Different alternates would be put into any bid so as to make sure the Borough does not have to use too much of its own money to make the repairs.

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

APPROVAL TO SUMMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MYRTLE AVENUE ROADWAY IMPROVEMENT PROJECT

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

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to submit an electronic grant application identified as application ID # **00429** from NJDOT SAGE) to the New Jersey Department of Transportation on behalf of the Borough of Fort Lee; and

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

My signature and the Borough Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Attest and Affix Seal _____
Neil Grant
Borough Clerk

Peggy Thomas
Borough Administrator

The Resolution was **approved unanimously.**

ENGINEERING DISCUSSION CONTINUED

Left Turn Signal at Fletcher Avenue/Kelby Street

Ms. Sohmer stated that he believes the intersection of Fletcher Avenue and Kelby Street needs improvements, specifically the left turn signal heading southbound on Fletcher Avenue at the corner of Kelby Street.

A resolution prepared by Mr. Mignone requesting the New Jersey State Department of Transportation to do a study of the aforementioned intersection will be placed on the June 11th regular meeting proposed consent agenda.

Vacation of Euclid Road

Mayor Sokolich recused himself on this matter.

Mr. Mignone stated that the Council has previously discussed about the potential for a pedestrian easement through the center of the vacated area of Euclid Road. Mr. Mignone is still waiting for an as-built for the property in question.

Ms. Thomas stated that no formal governing body decision has been made.

Ms. Sohmer stated that he has previously expressed not being in favor of giving Borough land away unless there is a restriction that the homeowner could not subdivide the property in question.

Mr. Mignone replied that the homeowner could make a strong case to subdivide his property presently. The easement would be an as of right.

Mr. Cohen stated that it's not necessary automatic that the Planning Board would hear this kind of matter. It could potentially fall within the Board of Adjustment.

It was agreed to place this item back on for discussion at the June 18th executive session meeting.

Mayor Sokolich chaired the remainder of the meeting from this point forward.

Authorizing Advertising of Bids for Roadway Improvements to North Avenue/Eighth Street

Mr. Mignone stated that this is a 2008 local aid project that will get started over the summer. A discretionary aid grant will cover the work to be done on Eighth Street. The cost of the project will probably exceed the grant and therefore Mr. Mignone will put alternates into the bid specifications so the Borough will have flexibility with the amount of work that it can do on the project.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for roadway improvements to North Avenue/Eighth Street will be placed on the June 11th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Rejecting Generator Set Bid for Telecommunication's Project at the Regency and Authorizing Rebid of Same

Ms. Thomas stated the Borough will reject the bid received for this project and authorize a rebid which will also include installing the generator.

A resolution authorizing the rejection and advertising for a rebid will be placed on the June 11th regular meeting proposed consent agenda.

Advertising for Bids for Electrical Services for the Carriage House

Ms. Thomas stated that the Borough has to advertise for bids for electrical services for the installation of a generator at the Carriage House which is the last piece needed to have the Borough's telecommunication's network project in place.

Mr. Sohmer asked if the Borough has a deadline to have this work completed.

Ms. Thomas replied that the Borough has received an extension from the FCC and that the Borough is on a proper schedule.

Stage Equipment for Jack Alter Fort Lee Community Center

Ms. Thomas stated that bids have been received, but the bids have not been formally reviewed yet.

This item to be placed back for discussion at the June 18th executive session agenda.

Renewal of Liquor Licenses

Mr. Grant stated that liquor licenses will be renewed at the June 11th regular meeting and/or June 18th executive session meeting.

It was also agreed that Jabadou Inc., t/a Tribeca should have the same conditions imposed on its license that it had last year.

Mr. Grant added that there may be a need for a special meeting towards the end of June to renew other liquor licenses that come in between June 19th and June 30th.

Bergen County Community Development and Open Space Trust Fund Representatives

The Mayor and Council will name their representatives for the above committees at the June 11th regular meeting.

Renaming/Secondary Naming of Federspiel Street

Ms. Thomas stated that P.O. Mark Finocchairo came to her requesting the Borough rename a small portion of Federspiel Street in honor of William Birch. The piece of property has no existing address on it as there are no residents or commercial establishments on this portion of Federspiel Street before Liberty Place.

Mayor Sokolich stated that he will support whatever the governing body decides to do on this matter.

Mr. Sargenti added that he has no objection because no one would have to change their address.

Placement of Banners on Main Street (Added on Item)

Ms. Thomas and the governing body mentioned that they received pictures from Councilman Cervieri showing how flagpoles with the American Flag are displayed on main streets in towns such as Harrison et al.

The Mayor and Council agreed that they like banners that display the American flag rather than displaying actual American Flags throughout Main Street.

Sweeping and Hosing of Storefronts

Ms. Kasofsky would like to see shop owners maintain their properties in a better fashion than they are currently.

Ms. Thomas and Mr. Pohan replied that it' up to the Health Department to better enforce the Borough's existing ordinances.

Ms. Thomas added that there is a process where shop owners can be warned and then summoned to go to court if they don't follow the Borough's ordinances.

Mayor Sokolich spoke about potentially hiring someone part-time who would diligently deal with enforcement issues on Main Street and the other commercial shopping areas within the Borough.

Mold Remediation in Borough Hall

Ms. Thomas stated that there is mold being removed from the court offices downstairs. The building is porous and the offices are actually under the earth. An emergency resolution will be placed on next week's meeting authorizing Consolidated Design to do the remediation work in an amount of approximately about \$15,000.

No Parking Zone Along the East Curbline of Hudson Terrace

An ordinance to extend the current no parking zone along the east curbline of Hudson Terrace to a point 550 feet south of the southern curbline of Myrtle Avenue for a distance of 984 feet south will be introduced at the June 11th regular meeting.

This ordinance as reviewed and approved by the Police Department actually creates an additional 54 feet of no parking space which will enhance visibility for motorists traveling on Hudson Terrace in an area where two blind curves exist and will allow more space for cyclists who frequently utilize the route.

Placement of Handicapped Parking Space by VFW Post #2342

An ordinance to place a handicapped parking space on Center Avenue in front of VFW entrance will be introduced at the June 11th regular meeting.

Mr. Grant added that the placement of the handicapped space has been reviewed and approved by the Police Department

Mayor and Council Mandatory Incident Command Training

Mandatory incident command training for the Mayor and Council will take place in the Executive Conference Room on Thursday, June 11th at 6:30 p.m.

Potential for Special Meeting to Renew Liquor Licenses

See liquor licenses renewal conversation listed above.

Eighth Street Gate

Ms. Kasofsky recused herself on this matter.

Ms. Thomas read a letter from the Mediterranean Tower West Board President who requested that the gate on Eight Street remain open.

Mayor Sokolich replied that he has to defer to the people who are actually living on the street being affected.

Ms. Thomas added that a gate will soon replace the orange barriers that people have been moving on their own.

PUBLIC HEARINGS SCHEDULED FOR JUNE 11, 2009

Ord. #2009-23--Amending Chapter 406, Various Sections of the Wreckers and Towing Service Ordinance

Ord. #2009-24--Appropriating \$2,400,000 for Various Capital Improvements and Authorizing the Issuance of \$2,185,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Ord. #2009-25--Amending Chapter 388, Section 41, Surcharge for Parking/Traffic Fines for Persons Found Guilty of Any Borough Ordinance Parking Violation

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	.Rent Leveling Item Taken Off Agenda - Asked About Revising Ordinance - Spoke to Mr. Cervieri's Written Proposal With Regard to the Matter	Mayor Sokolich
Matt Shapiro 500 Linwood Drive	.Mr. Cervieri's Proposal - Does Not Believe His Proposal is Serious	Mayor Sokolich
Nina Levinson 1560 West St.	.Parking at Borough Hall .Speeding on West Street	Mayor Sokolich

There being no further discussion the meeting was adjourned **on motion by Councilman Goldberg, seconded by Councilman Sargenti**, at 7:50 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, May 7, 2009 @ 7:00 p.m.

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

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

ABSENT: Council Members Pohan, 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 6, 2009, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting were accurately set forth therein.

2. On January 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sohmer, 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:

Malcolm Towers Renewal of Existing P.I.L.O.T -
Michael Leighton, Esq. for Malcolm Towers in
Attendance

Contracts: Tax Appeal Attorney
Financial Advisor for Redevelopment Area 5

Tax Appeal Litigation: 2175 Lemoine Avenue - Steve
Muhlstock, Tax Appeal Attorney, in Attendance

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

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

ENGINEERING DISCUSSION

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

Abbott Boulevard Pedestrian Pathway

Paula Colbath, Fort Lee resident, asked why the Borough would take out a portion of the green area and replace it with a pedestrian pathway. She believes that the Mayor and Council have good intentions, but she does not think it's a good idea.

Mr. Mignone stated that the grant the Borough is receiving will cover the cost of only two of the islands on Abbott Boulevard. He added that the Borough cannot use its workforce to do the labor.

Mayor Sokolich stated that the ideal was originally intriguing because it would help with safety issue for people who were walking in the street as opposed to using the sidewalks.

Resolution Endorsing a NJDOT Transportation Enhancement Grant for Abbott Boulevard, South of Columbia Avenue

Ed Mignone stated that the Borough is receiving a grant from the NJDOT to upgrade the streetscape on Abbott Boulevard, South

of Columbia Avenue. The expected cost to do the work is \$485,000.

He requested that a resolution be approved at tonight's meeting endorsing the Borough's grant application to the NJDOT.

RESOLUTION

R-1 - Endorsing the Borough's Application for New Jersey Department of Transportation Enhancement Program (NJDOT TE) Application - Abbott Boulevard, South of Columbia Avenue

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

Endorsing the Borough of Fort Lee's Application for New Jersey Department of Transportation Enhancement Program (NJDOT TE) Application

WHEREAS, the Borough of Fort Lee is preparing a grant application to the State of New Jersey Department of Transportation Enhancement Program Funds (TE); and

WHEREAS, the Borough of Fort Lee is proposing transportation enhancements along Abbott Boulevard south of Columbia Avenue to increase pedestrian use and safety, improve viability for commercial uses within the transportation corridor, and visually enhance the corridor, which serves as a major thruway within the Borough; and

WHEREAS, assistance from the TE program will enhance the transportation experience for residents and through-travelers, bolster the economy of the Borough of Fort Lee, and improve the overall quality of life for the residents and those who travel through or visit the area; and

WHEREAS, the Borough of Fort Lee is committed to continual ownership and maintenance of the project for a minimum of twenty years and throughout its useful life; and

WHEREAS, in order to enhance the project's construction readiness, the Borough of Fort Lee will be responsible for all engineering design and inspection fees associated with the project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Fort Lee that the Borough is pleased to support and endorse the project and the above-mentioned grant application to the State of New Jersey Department of Transportation TE program.

The resolution was **approved unanimously**.

Endorsing Grant Application for Sustainable NJ

Mr. Mignone stated that Walmart is funding a program where the Borough can apply for a grant application to link up its solar panels communications messaging board at the Jack Alter Community Center to the DPW and Police Department, the Borough's other two solar panel locations.

Mayor Sokolich stated that he's just about ready to convene and name an Environmental/Green Committee.

Mr. Mignone replied that to receive this grant a Green team must be in place.

A resolution endorsing the grant application is expected to be placed on the May 14th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Capital Ordinance for 2009

Ms. Thomas stated that the Borough will need to introduce a capital ordinance in the amount of \$2,300,000. She presented a handout of the various things the ordinance will cover which includes sewer emergencies, road upgrades, computer upgrades to the Borough's phone system, money to be spent to maintain and improve the Borough's fields, parks and public buildings, along with upgrades to the Ambulance Corp building.

An ordinance introducing the capital budget as prepared by Bond Counsel will be placed on the May 14th regular meeting proposed consent agenda.

Estimated Tax Bills

Ms. Thomas stated that if Bergen County does not strike its tax rate which is currently being held up at the State level that the Borough will need to send out estimated tax bills.

A resolution authorizing the potential to send out estimated tax bills as prepared by the Chief Financial Officer will be placed on the May 14th regular meeting proposed consent agenda.

Amendment to Chapter 388, Section 41, Surcharge for Parking Fines

Ms. Thomas stated the Borough's code which allocates fine money collected by the Municipal Court to the Parking Authority will be updated to include a flat 28% fee for violations of street sweeping, residential parking and the Borough's prohibited parking ordinances.

An ordinance amending Chapter 388, Section 41, will be introduced at the May 14th regular meeting proposed consent agenda.

Citizen Notification System

Mayor Sokolich requested that this item be carried over to a future executive session meeting.

Rent Leveling

Mayor Sokolich stated that he had indicated to Charlie Sobel, Rent Leveling Board member and tenant, that he would put this item on the agenda with the potential to amend the current ordinance.

Mr. Sobel, stated that the annual allowable 5% increase in annual rent is too much. He believes that the bi-level increase system is flawed. He spoke about the constitutionality of the Borough's current two-tier system. He understands that the MAP is to protect seniors. He spoke to vacancy decontrol and he believes that everyone should be handled through the MAP which would keep rent increases in the 2% to 2.5% area which is still more than the current CPI.

Mayor Sokolich replied that in the spirit of fairness, two critical council members are not present tonight.

Mayor Sokolich stated that he will place this item back on the June 3rd executive session for further discussion.

EMT Funding (League of Municipalities Notice)

Mr. Goldberg stated that the State is taking \$4,000,000 from its dedicated EMT training fund and reallocating into the general treasury. This will put the onus on municipalities to pay for EMT training which has been previously covered by the fund.

He requested that the Borough approve a resolution which opposes the diversion of funds away from the EMT training fund.

The Mayor and Council concurred with Mr. Goldberg and support a resolution opposing the diverting of EMT training funds into the State's general treasury which resolution will be placed on the May 14th regular meeting proposed consent agenda.

Amendments to Towing Ordinance

Mayor Sokolich stated that the amendments the Police Department has made simplifies the cost of a tow and mandates additional reporting requirements to the Police Department.

An ordinance amending Chapter 406, Wreckers and Towing Services, will be introduced at the May 14th regular meeting.

Mandates Relief Binding Arbitration Reform

A resolution as requested by the New Jersey League of Municipalities which requests the New Jersey State Legislature to pass legislation containing substantial reforms to the binding arbitration process will be placed on the May 14th regular meeting proposed consent agenda.

Approving Mobile Food Truck Owner's License for Bibi Spann for Pete's Ice Cream Truck

Mr. Grant stated that the Police Department has investigated and approved the issuing of a mobile food truck owner's license to Bibi Spann.

A resolution approving a mobile food truck owner's license to Bibi Spann for Pete's Ice Cream Truck will be placed on the May 14th regular meeting proposed consent agenda.

Purchase of Two Vehicles for the Police Department

The Mayor and Council agreed to authorize the Police Department to purchase only one marked police vehicle.

A resolution authorizing the purchase of a marked police vehicle from Winner Ford, Cherry Hill, New Jersey, through State Contract #A72467 at a cost of \$21,478.00 plus the cost of an extended warranty will be placed on the May 14th regular meeting proposed consent agenda.

Advertising for Bids for One Unmarked Police Vehicle

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for one unmarked police vehicle will be placed on the May 14th regular meeting proposed consent agenda.

Financial Certification for Sports Leagues

Mayor Sokolich stated that he wants the sports leagues who receive funds from the Borough to official acknowledge to the Borough by the way of a financial certification that they have received funds and also to indicate how those funds received have been expended.

Ms. Thomas and Joseph Iannaconi, Chief Financial Officer, will prepare the appropriate certification form.

PUBLIC HEARING SCHEDULED FOR MAY 14, 2009
Ord. #2009-22--Capital Ordinance Appropriating \$280,590 for Law
Enforcement Technology for the Police Department - Grant #208CKWX0490

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Rent Leveling 5% Increase/ Homeowner's Taxes	Mayor Sokolich
	.Praised the Adopted Budget Approved by the M&C	Mayor Sokolich
	.Speeding Vehicles on North Avenue Turning Onto West Street	Mayor Sokolich

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

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 30, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

3. On March 6, 2009, a copy of said change in schedule date and time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: DPW (MSOK)
Health Department

Contracts: 1997 Agreement Between the Borough and
Gerald Cardinale

Land Use LLC

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

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

ENGINEERING DISCUSSION

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

Vacation of Euclid Road

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

Council President Sohmer chaired this portion of the meeting.

Mr. Sohmer stated that it's his belief that the Borough should not give away Borough property. There are electrical lines/utilities in the area in question.

Mr. Cervieri stated that the overhead utility lines could be relocated at the property owner's request. The current lot size is conforming. If there was a subdivision granted it would be in compliance with the properties on Crescent Way. The owner would be paying additional taxes on the subdivision and that the owner has been paying taxes on his current property for over forty years. He believes that it's unfair as the Borough has done other street vacations over the years.

Mr. Sohmer replied that he will not vote in favor of the vacation.

Mr. Pohan asked if the street is vacated, would there be a new block and lot, and could the Borough put in a deed restriction.

Mr. Cohen replied that that the Borough would maintain a utility easement and the block and lot would be tacked on to the current block and lot and the Borough could put in a deed restriction if it wanted to.

Mr. Cervieri asked why would there be a restriction.

Mr. Cohen replied that he was answering Mr. Pohan's question and not advocating any specific position.

Mr. Sohmer reiterated that he would not be in favor in giving away any Borough property.

Mr. Pohan stated that if the Borough receives additional tax revenue and that if the Borough has no use for the property then vacating the property is something the Borough should think about.

Mr. Goldberg said that the Borough is not maintaining the property at the present time.

Mr. Cervieri stated that it's a dead end street. A four foot pedestrian pathway could be built for a couple of thousand dollars which the residents in the neighborhood could use.

Mr. Cervieri added that the owner's driveway traverses part of the right-of-way. If the land is vacated the owner will put in a new driveway.

It was agreed that a new metes and bounds for a pedestrian easement would need to be done before the street could be vacated.

Mr. Pohan stated that he would like to see a drawing before he makes a final decision.

Mr. Sohmer stated that there would be a pedestrian easement in the middle and that the easement would go with the property.

Mr. Cohen stated that the Borough has an easement at this time and if the Borough vacated the property then the homeowner could do anything with the land as it is zoned for.

Once a new metes and bounds is prepared by Boswell McClave for the pedestrian easement and the metes and bounds has been reviewed by the governing body then the governing body will decide if a new ordinance to vacate the portion of Euclid Road in question will be introduced.

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

GENERAL DISCUSSION

Establishing the Terms, Conditions, and Governing Rules of the Fort Lee Fire Department Stipend Program

This item was discussed during the closed portion of the meeting.

The Mayor and Council agreed that a resolution establishing the terms, conditions and governing rules of the Fort Lee Fire Department stipend program will be placed on the May 14th regular meeting proposed consent agenda.

Eighth Street Residents

Mayor Sokolich stated that the Borough is going to repave Eighth Street. The gate has been open since English Paving paved over the adjacent area at the Recreation Center back in the summer. The Mayor has been getting a lot of complaints from the residents who live on the block.

Mr. Goldberg stated that he would put the gate back up.

Mr. Cervieri stated that he would probably put the gate up during school hours. He would like to get the Board of Education's input on the matter.

Mayor Sokolich added that his priority in this matter is to the residents in the area.

Mr. Mignone stated that the Police Department has conducted a speed survey in the area.

Mayor Sokolich said that the residents of Eighth Street are expected to attend tonight's regular meeting to voice their complaints.

Mayor Sokolich stated that the DWP has done a very good job in repairing potholes in general. Residents call daily with regard to potholes and their requests to fix the potholes are done in a timely fashion.

Capital Ordinance for Police Department Technology Program Grant

Ms. Thomas stated that the Borough has to setup an appropriation line for a technology grant that the Police Department is receiving.

An ordinance establishing an appropriation for \$280,590 for the Police Department's law enforcement technology grant will be introduced at tonight's regular meeting.

Updates to Application Checklists - BOA/Planning Board

Ms. Thomas stated that Barbara Klein, Planning and Zoning Administrator and the Borough's Planner, have created a new checklist for signage and for one and two-family homes. The new checklist simplifies the application process.

The Mayor and Council agreed that the Borough's Land Use Ordinance should be amended to reflect the recommended changes.

An ordinance amending the Borough's Land Use Ordinance will be prepared by the Borough Attorney and will be placed on a future regular meeting for introduction.

Amendment to Chapter 388-41 Surcharge for Parking Fines

This item to be discussed at next week's executive session.

Citizen Notification System

This item to be discussed at next week's executive session.

Recycling Tonnage Grant Application

A resolution authorizing the Borough to endorse a recycling tonnage grant application for 2008 has been placed on tonight's regular meeting proposed consent agenda.

Ms. Thomas noted that the Borough received a little more than \$14,000 for last year's recycling tonnage grant.

Interlocal Division of Grant Funds Agreement With Paramus et al.

A resolution approving an interlocal agreement with the Borough of Paramus which is the lead agency amongst fourteen agencies for the purpose of receiving a multi-jurisdiction justice assistance grant will be placed on tonight's regular meeting proposed consent agenda.

The Borough will be receiving \$11,924.00 of a grant in the amount of \$424,818.00.

It was noted that the Borough is not receiving as much money as other smaller municipalities, but that is because the grant is based on crime statistics. Therefore, the lower the crime statistics, the less money a Borough receives.

Endorsing Bergen County Community Development Grant Application for the F.L.A.S.H. Corp.

A resolution endorsing a grant application for the Fort Lee Housing Authority (F.L.A.S.H. Corp) for improvements to the residential complex located at 2486 Eighth Street has been placed on tonight's regular meeting proposed consent agenda.

Purchase of Two Vehicles for the Police Department

Ms. Thomas stated that the Police Department originally asked for four (4) police vehicles for this year. She told the

Police Department that they would be limited to two vehicles for 2009 which would be paid from the Police Department's current account.

The Mayor and Council asked for the purchase of the vehicles to be taken off tonight's regular meeting proposed consent agenda. The Mayor and Council have requested to see the current inventory of Police Department vehicles.

Advertising for Bids for One Unmarked Police Vehicle

The Mayor and Council requested that this item also be pulled from tonight's regular meeting proposed consent agenda.

William T. Birch Memorial - Abbott Boulevard/Riverdale Drive

Ms. Thomas stated the William T. Birch Memorial which was going to be placed on Federspiel Street is expected to be relocated to Abbott Boulevard/Riverdale Drive where it will have much more visibility.

PUBLIC HEARINGS SCHEDULED FOR APRIL 30, 2009

- Ord. #2009-17--Appropriating an Additional \$1,400,000 for the Main Street/Hudson Terrace Roadway Improvement Project
 - Ord. #2009-18--Amending Chapter 289, Parking, Article IV, Parking Meters et al. and Chapter 388, Vehicles and Traffic, Article V, by Amending Location of Parking Meters on West Side of Central Road and by Prohibiting Parking on the East Side of Central Road
 - Ord. #2009-19--Amending Chapter 55, Fire Department by Establishing Section 27, Stipend Program
 - Ord. #2009-20--Appropriating \$922,000 to Provide for the Acquisition of Property at 2005 Hoyt Avenue - \$300,000 to be Provided from the Port Authority and \$622,000 to be Provided as Re-Appropriation from Bond Ordinance #'s 2004-27, 2006-36 and 2007-31
 - Ord. #2009-21--Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4- 45.14)
- 2009 Municipal Budget

PUBLIC PARTICIPATION

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

There being no further discussion the meeting was adjourned **on motion by Councilman Goldberg, seconded by Councilman Cervieri**, at 7:40 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 2, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Recreation Department Seasonal Employees
Economic Development

Potential Litigation: Incidents at YCS School

Contracts: 1997 Agreement Between the Borough and
Gerald Cardinale

Malcolm Towers Renewal of Existing P.I.L.O.T (MSOK)

Lease Agreement With the Carriage House to Support the
Borough's Public Safety Radio Communications System

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

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

GENERAL DISCUSSION

Budget 2009 - Steve Wielkocz, Borough Auditor in Attendance

Mr. Wielkocz stated that the Borough's tax levy is \$300,000 under the CAP. The Borough's municipal tax increase will be 2.4 cents which equates to \$111.60 on a home assessed at 465,000. The Municipal rate would go from 88.8 to 91.2. The Borough is \$20,000 under the appropriations CAP.

Mayor Sokolich stated that he would like to see the municipal budget tax increase be under 3% which at this time it's a little over 3%. He asked Mr. Wielkocz how Fort Lee compares with other towns.

Mr. Wielkocz stated that the Borough is maxed out on its revenue side and without cutting appropriations or using furloughs the municipal tax increase will increase by a little more than 3%. Ms. Thomas and Mr. Iannaconi made over \$1,000,000 in cuts from the initial CAP.

Mr. Wielkocz stated that he represents fifteen municipalities and two counties and that Fort Lee is the only one that does not need to do a pension deferral. Two of the

municipalities cannot get under the levy cap without the deferral. Municipal tax increases for those other municipalities range from 13% to 17%. He added that the Borough might not even qualify for a waiver.

Mr. Sohmer asked how much the school tax is going to increase by.

Mr. Wielkocz replied that he expects the school tax to increase by 4%.

Mayor Sokolich stated that everyone should be proud of the budget. He asked about the significance with the reduction in debt service.

Ms. Thomas replied that the reduction in debt service was \$500,000 which is almost a tax point.

Mr. Pohan asked about the CAP Bank Ordinance.

Mr. Wielkocz explained that all pension appropriations are inside the CAP. The CAP bank will be about only \$20,000 to \$25,000 if the Borough does not approve a CAP bank ordinance for this year.

Mr. Wielkocz added that the Borough will also have to approve a resolution for three-year averaging for calculating its reserve for uncollected taxes. This is because the Borough's collection rate took a little hit. The three-year averaging will be advantageous to the Borough which Standards and Poor and Moodys uses for its bond ratings. He added that Moody's has not been favorable to the Borough, lately.

Ms. Thomas stated that a Capital Ordinance will have to be done this year. She will put the documents together and will bring it back to the Mayor and Council for discussion at the May 7th executive session.

ENGINEERING DISCUSSION

Emergency Repairs to Sewer Pipe on Anderson Avenue

A resolution authorizing payment to Gotthold Paving for emergency repairs made to a broken sewer pipe on Anderson Avenue

in the amount of \$22,240 will be placed on the April 30th regular meeting proposed consent agenda.

Emergency Repairs to Sewer Pipe on Thirteenth Street

A resolution authorizing payment to J. Fletcher Creamer for emergency repairs make to a broke sewer pipe on Thirteenth Street in the amount of \$10,857.54 will be placed on the April 30th regular meeting proposed consent agenda.

Mr. Goldberg asked Mr. Mignone to make sure that when roads are opened by the utilities that they property repave what they have broken up.

2009 NJDOT Local Aid Program - North Avenue Improvements

Ms. Thomas stated that the Borough will be receiving a State Aid Grant in the amount of \$175,000 to make much needed roadway improvements to North Avenue.

A resolution accepting Boswell McClave's proposal to perform a topographical survey and to prepare designs for the project in an amount not to exceed \$17,500 will be placed on the April 30th regular meeting proposed consent agenda.

Ord. #2009-12 Vacating a Portion of Euclid Road - Tabled March 12, 2009

Mayor Sokolich recused himself on this matter.

It was agreed that a new ordinance with regard to the vacating of a portion of Euclid Road would have to be introduced.

GENERAL DISCUSSION CONTINUED

Re-appropriating Bond Ordinance for Acquisition of Property at 2005 Hoyt Avenue

An ordinance re-appropriating monies from previous bond issues for the acquisition of property at 2005 Hoyt Avenue will be introduced later in the evening.

Ms. Thomas on questioning from the governing body stated that there is a different bond ordinance for Main Street/Hudson Terrace Roadway improvement project. The contractor will be doing the top coating of the road surface next month.

Pooled Note Program With BCIA

Mr. Iannaconi stated that the Borough will save \$35,000 by using the Bergen County Improvement Authority's AAA bond rating. He noted that this is for a \$23,000,000 in notes and that he was hoping to save more money.

Mr. Cervieri asked what the rate of borrowing was going to be on the notes.

Mr. Iannaconi replied that the interest rate was .71%

Furloughs Permitted - Memo from League of Municipalities (LOM)

Mr. Sohmer spoke to memos received from the LOM and THE Governor's office with regard to layoffs. He said that it's not easy to make a decision where there is potential to take food out of someone's mouth.

Mr. Cohen replied that rolling layoffs are being done. By doing rolling layoffs government officers are not completely shut down.

Mayor Sokolich stated that the Borough's payroll is approximately \$100,000 per day for all of its employees. He added that if the Borough had to do furloughs that it would cover all employees.

Mr. Goldberg stated that it looks good for this year that no furloughs will be necessary, but each budget year is unique so it's something that might need to be looked into for future years.

Mayor Sokolich closed by saying that it's not anticipated that furloughs will be done in the Borough this year, but he did not completely rule out the possibility of having furloughs put in place for the future if needed.

Citizen Notification System

Mayor Sokolich asked that this item be placed on the April 30th executive session agenda for discussion.

Mr. Goldberg stated that the East Brunswick Website has a very good citizen notification system that is not too costly.

Main Street/Lemoine Avenue Traffic Flow

Mr. Goldberg said the traffic situation at the Main Street/Lemoine Avenue intersection is bad. It was recommended by him and Mr. Cervieri to put a police officer at the location.

Mayor Sokolich concurred that the Police Department should put someone at the location or abandon the current plan where the left hand lane of Lemoine Avenue southbound at Main Street is blocked off.

Ms. Thomas will notify Thomas Ripoli, Police Chief, of the recommendation made by the Mayor and Council.

Amending Chapter 388-41, Section {C} Surcharge for Parking/Traffic Fines

After a short discussion it was agreed by the Mayor and Council that the Borough will give the Parking Authority 28% on any ticket written under the Borough's code. This will eliminate what the Parking Authority will receive in the future if fines for violations go up in price.

Amendment to Sign Ordinance

Ms. Thomas stated that Don Porrino, Chairman of the Sign and Façade Committee, wrote a memo recommending that signs be allowed on secondary entrances. This began when "It's Greek to Me" had been approved for a secondary sign by the Sign/Façade Committee, but it was not approved by the Building Department because the current ordinance does not allow for a sign on a secondary entrance.

Mr. Pohan spoke about conformity of the ordinance and that an amendment to the zoning ordinance would have to be approved.

Mr. Cervieri asked if "It's Greek to Me" showed a sign being placed on the secondary entrance at the time of their application.

Mayor Sokolich added that this would be a way of having identification over both entrances.

Mr. Cervieri stated that even though there has been a tremendous improvement over the previous use of property signs are going to pop out all over the place. He added that not having input of the zoning department is remiss.

The Mayor and Council agreed that the Planning Board should review Mr. Porrino's request and make a recommendation to the Mayor and Council before the Mayor and Council move forward.

Mr. Grant to forward Mr. Porrino's request to Barbara Klein, Planning/Zoning Board Administrator, so that she can place it on a Planning Board meeting agenda for discussion.

Amendments to Towing Ordinance

Ms. Thomas stated that she will have Roy Bortolus, Police Captain, prepare an executive summary that will indicate the changes the Police Department is recommending to update the Borough's towing ordinance which goal is to alleviate the problems the Borough has been having.

Communication Radios to the Borough of Palisades Park

Ms. Thomas stated that the Borough has donated obsolete communication radios to the Borough of Palisades Park.

Stage Equipment for the Jack Alter Community Center

Ms. Thomas stated that the articulating boom can be leased when the community center needs it.

Mr. Pohan spoke to the rigging that hangs from the ceiling of the community center.

It was agreed that a resolution authorizing the Borough to prepare specifications and advertise for bids for stage equipment

for the community center will be formally approved by resolution later this evening.

Chamber of Commerce 2009 Persons of the Year

It was agreed that the Mayor and Council, Borough Administrator, Borough Clerk, Chief Financial Officer and Borough Attorney will take out a full page advertisement for the Chamber's 2009 Persons of the Year (Lorna and Nelson Chen).

Mason Dump Truck for General Services

Mr. Pohan asked if the dump truck is needed by General Services.

Ms. Thomas replied that she's recommending the purchase of the truck.

A resolution authorizing the purchase of the truck will be placed on a future regular meeting agenda once the truck is ordered.

R-A - INTRODUCTION OF 2009 MUNICIPAL BUDGET

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

BE IT RESOLVED that the following statements of revenues and appropriations (available in the office of the Borough Clerk) shall constitute the Municipal Budget for the year 2009; and

Mr. Grant announced that the total amount to be raised by taxation is anticipated to be **\$55,440,954.83**. The total anticipated general appropriations for 2009 at introduction is **\$66,650,217.45**.

BE IT FURTHER RESOLVED, that said budget be published in The Record in the issue of April 13, 2009.

The Governing Body of the Borough of Fort Lee does hereby approve the following as the Budget for year 2009 (available in the office of the Borough Clerk):

The introduced budget was **approved** on the following roll call:

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

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Fort Lee, County of Bergen, on April 2, 2009. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on April 30, 2009 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons.

INTRODUCTION OF ORDINANCES

Ordinance #2009-20 - Appropriating \$922,000 to Provide for the Acquisition of Property at 2005 Hoyt Avenue - \$300,000 to be Provided from the Port Authority and \$622,000 of Which is to be Provided as a Re-Appropriation from Bond Ordinance #'s 2004-27, 2006-36 and 2007-31

On motion by Councilman Pohan, seconded by Councilman Cervieri, and carried, Ord. #2009-20 entitled, "ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY APPROPRIATING \$922,000 TO PROVIDE FOR THE ACQUISITION OF PROPERTY COMMONLY KNOWN AS 2005 HOYT AVENUE IN THE BOROUGH, \$300,000 OF WHICH IS TO BE PROVIDED FROM THE NEW JERSEY PORT AUTHORITY AND \$622,000 OF WHICH IS TO BE PROVIDED AS A RE-APPROPRIATION FROM BOND ORDINANCE #2004-27, AS AMENDED BY BOND ORDINANCE #2006-36, AS AMENDED BY BOND ORDINANCE #2007-31 OF THE BOROUGH, FINALLY ADOPTED JUNE 10, 2004, AS AMENDED JULY 20, 2006, AS AMENDED JULY 19, 2007, NOT NEEDED FOR THEIR ORIGINAL PURPOSES," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **April 30, 2009**.

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

Ordinance #2009-21 - Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:

4-45.14)

On motion by Councilman Goldberg, seconded by Councilman Cervieri, and carried, Ord. #2009-21 entitled, "CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **April 30 2009**.

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

RESOLUTIONS

R-1 - Temporary Capital Budget Amendment for Acquisition of Property at 2005 Hoyt Avenue

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

WHEREAS, the Borough of Fort Lee desires to constitute the 2009 Temporary Capital Budget of said municipality by inserting therein the following project,

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

Section 1. The 2009 Temporary Capital Budget of the Borough of Fort Lee is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Fort Lee
County of Bergen
Projects Scheduled for 2009
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>
Acquisition of 2005 Hoyt Ave.	\$300,000	\$300,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2009 Temporary Capital Budget, to be included in the 2009 Permanent Capital Budget as adopted.

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

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

R-B - Resolution Providing for Increase in Reserve for Uncollected Taxes Percentage

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

A RESOLUTION PROVIDING FOR INCREASE IN RESERVE FOR UNCOLLECTED TAXES PERCENTAGE

WHEREAS, THE Borough of Fort Lee collected only 97.79% of the 2008 taxes due to higher uncollected taxes being delinquent for 2008, and

WHEREAS, the Borough of Fort Lee's average collection percentage for the prior 3 years is 98.31%, as calculated below, and

	<u>Collection Percentage</u>
2008	97.79
2007	98.61
2006	<u>98.52</u>
Total	294.92
 3-Year Average	 98.31

WHEREAS, the lower percentage collected in 2008 has an effect on the "Reserve for Uncollected Taxes" in 2009, and

WHEREAS, the Governing Body desires to anticipate 98.31% collection for 2009, to help reduce the "Reserve for Uncollected

Taxes", with prior written consent of the Director of Local Government Services,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee, County of Bergen, State of New Jersey, that the prior written consent of the Director of Local Government Services be requested to anticipate 98.31% collection of taxes in 2009 in figuring the "Reserve for Uncollected Taxes".

BE IT FURTHER RESOLVED that three certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

Adopted this 2nd day of April, 2009 and certified as a true copy of an original.

Neil Grant, Municipal Clerk

APPROVED: _____, 2009

Director, Division of Local Government Services

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

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

R-2 - Approving Auxiliary Firefighter Application for Maribel Dominguez for Fire Company #1

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

The auxiliary firefighter application for Maribel Dominguez for Fire Company #1 was **approved unanimously**.

R-3 - Approving Raffle License #997 for Saint Rocco Italian Mutual Aid Society

No action was taken on this item as the application was not submitted in time.

R-4 - Approving Raffle License #998 for Saint Rocco Italian Mutual Aid Society

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

WHEREAS, Saint Rocco Italian American Mutual Aid Society, 110 Main Street, Fort Lee, New Jersey, has submitted a raffle application for August 9, 2009; and

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

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #998, pending final approval from the Legalized Games of Chance Control Commission.

The resolution was **approved unanimously.**

R-5 - Approving Raffle License #999 for Hackensack University Medical Center

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

WHEREAS, Hackensack University Medical Center, 30 Prospect Avenue, Hackensack, New Jersey, has submitted a raffle application for August 9, 2009; and

WHEREAS, the governing body of the Borough of Fort Lee has determined that the license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #999, pending final approval from the Legalized Games of Chance Control Commission.

The resolution was **approved unanimously.**

R-6 - Authorizing Advertising of Bids for a Generator for the Ambulance Corps and Stage Equipment for the Jack Alter Community Center

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

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Purchasing Consultant and/or Borough Clerk are hereby authorized and directed to obtain specifications and advertise for bids or purchase through State contract for:

- . A Replacement Generator for the Fort Lee Volunteer Ambulance Corps
- . Stage Equipment for the Jack Alter Community Center

The Resolution was **approved unanimously.**

R-7 -Authorizing the Hiring of Seasonal Employees for the Recreation Department - Termination Date June 29th

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

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

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

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of April 1, 2009 and a termination date of June 29, 2009.

The Resolution was **approved unanimously.**

PUBLIC HEARINGS SCHEDULED FOR APRIL 30, 2009

Ord. #2009-17--Appropriating an Additional \$1,400,000 for the Main Street/Hudson Terrace Roadway Improvement Project

Ord. #2009-18--Amending Chapter 289, Parking, Article IV, Parking Meters et al. and Chapter 388, Vehicles and Traffic, Article V, by Amending Location of Parking Meters on West Side of Central Road and by Prohibiting Parking on the East Side of Central Road

Ord. #2009-19--Amending Chapter 55, Fire Department by Establishing Section 27, Stipend Program

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Resolution for Three Year Averaging for Reserve for Uncollected Taxes	Mayor Sokolich
	.Request to Make Richard Thompson the Borough's Music Laureate	Mayor Sokolich Mr. Cervieri

There being no further discussion the meeting was adjourned on motion by Councilwoman Kasofsky, seconded by Councilman Sohmer at 9:15 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 5, 2009 @ 7:00 p.m.

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

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

ABSENT: Council Members Pohan, Goldberg

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 6, 2009, 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 7, 2009, 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 2009 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: Administration
EMT's
Fire Department
Fire Prevention Bureau
Police Department

1997 Agreement Between the Borough of Fort Lee and
Gerald Cardinale

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

Municipal Budget 2009 - Steve Wielkocz, Borough Auditor, in Attendance

Mr. Wielkocz handed out a summary sheet. (See Appendix A) He stated that Ms. Thomas and Mr. Iannaconi met with all the department heads and that he puts their financial book into the required State format.

Mayor Sokolich asked how much the municipal budget is expected to increase from last year.

Mr. Wielkocz replied that the budget would go up 3.31% which is equivalent to 2.4 tax points.

Ms. Thomas stated that this is a better municipal budget than the Borough has had the last few years.

Mayor Sokolich asked Mr. Wielkocz if the Borough uses a pension deferral how much would the budget go up.

Mr. Wielkocz replied the budget increase would be 0% if the Borough opted to use the pension deferral. He added that this figure is based on the Borough receiving \$2,200,000 in State Aid, the same figure as last year.

Mr. Wielkocz added that everything is on hold until Governor Corzine introduces his budget.

Mayor Sokolich mentioned that the Borough has reduced its bond indebtedness by \$18,000,000 over the last 14 months. He told the governing body to take pride in what they have accomplished and praised Ms. Thomas for her efforts. The many initiatives the Borough has put forth since the beginning of last year have played a big part in keeping this year's budget down.

Ms. Thomas stated that both Council Members Pohan and Goldberg who were not able to attend tonight's meeting reviewed the budget and they were happy. She added that both of them told her that they did want to apply for a pension waiver.

Ms. Sohmer asked what the repercussions are if the Borough decided to do a pension deferral.

Mr. Wielkocz explained that it becomes an unfunded pension obligation and that interest is charged at 8.25%. The payback period is deferred and amortized over a thirty year period.

Mayor Sokolich added that things change daily in the State and that he would like to keep all of his options open.

Mr. Wielkocz added that a decision does not have to be made tonight. The deferral would be optional and the Borough can choose it as it needs to on an annual basis.

Mr. Cervieri asked Ms. Thomas how much money has been reduced from the budget based on the initial requests of the department heads and the final figures approved by her and Mr. Iannaconi.

Mr. Wielkocz added that since January 27th over \$1,000,000 has been cut from the budget.

Ms. Thomas and Mr. Iannaconi both stated that reserve money has been put away for the Police Department pay increases once there mediation case is settled.

It was agreed that the budget will be introduced sometime in April once the Governor's budget is presented and the Mayor and Council schedule a regular meeting date.

ENGINEERING DISCUSSION

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

Additional Funding for the Main Street/Hudson Terrace Road Improvement Project

Mr. Iannaconi stated that the Borough has to establish a capital ordinance for additional funding for the Main Street/Hudson Terrace Roadway Improvement Project. The Borough will be using \$1,000,000 from Bergen County and \$400,000 from the Port Authority. After this is done there will be approximately another \$900,000 left over which might be enough to finish the funding for the road project.

Ms. Thomas asked Mr. Mignone to write a memo to her with regard to how much money the Borough has received from the Port Authority to date as well as how much more work needs to be done to complete the project.

Euclid Road (Added on Item)

Mayor Sokolich recused himself on this matter.

Mr. Mignone stated that the two property owners of Euclid Road would split the thirty feet of vacated property. The public hearing for the ordinance vacation is scheduled for next week's regular meeting.

Ms. Thomas added that there will be a utility easement on the property because no one knows for sure what's underneath the rock cropping.

Cliffside Park Sanitary Sewer (Added on Item)

Mr. Mignone stated that the Borough of Cliffside Park may do an upgrade of their storm and sanitary sewer lines on Glen Road if they are able to obtain stimulus funds. Boswell McClave Engineering would prepare a design plan if the funds are procured by Cliffside Park.

GENERAL DISCUSSION CONTINUED

Budget Appropriation Transfers

A resolution authorizing budget appropriation transfer reserves for 2008 as prepared by the Chief Financial Officer will be placed on the March 12th regular meeting proposed consent agenda.

Hybrid 4x4 Vehicle

The Mayor and Council authorized the purchased of a 4x4 hybrid vehicle for Paul Favia, Deputy Chief Emergency Medical Technician.

A resolution authorizing the purchase will be placed on the March 12th regular meeting proposed consent agenda.

Auctioning of Borough Property

A resolution authorizing various surplus property to be auctioned through PropertyRoom.com, the Borough's online auction website provider, will be placed on the March 12th regular meeting proposed consent agenda.

April 9th Regular Meeting

The Mayor and Council agreed to cancel the April 9th regular meeting because it falls out on the second night of Passover.

Messrs. Sokolich and Grant will meet to discuss the rescheduling of the April 9th regular meeting.

Fire Department Personal Escape System Bid

Ms. Thomas stated that this item will be rejected. The Fire Department reviewed the bid of the low bidder and it did not meet the technical specifications that were in the bid. The second bidder was deemed non-compliant by the Borough Attorney.

A resolution authorizing rejection of both bids and authorizing a rebid will be placed on the March 12th regular meeting proposed consent agenda.

Amending Chapters 289 & 388 Parking Meters and No Parking on East Side of Central Road

An ordinance eliminating parking meters on the east side of Central Road as well as establishing no parking on the east side of Central Road and also amending the location of the parking meter zone on the west side of Central Road as requested by the Parking Authority will be placed on the March 12th regular meeting for introduction.

Purchase of Fence for Van Fleet Park

A resolution authorizing purchase of a new fence from National Fence Systems, Avenel, New Jersey through New Jersey State Contract #A66454 for Van Fleet Park at a cost of \$27,195 will be placed on the March 12th regular meeting proposed consent agenda.

Sustainable Jersey Municipal Certification Program

Ms. Thomas stated that the State has setup a program whereby municipalities can participate in certain green programs and other green initiatives.

A resolution authorizing the Borough's participation in the Sustainable Jersey Municipal Certification Program will be placed on the March 12th regular meeting proposed consent agenda.

Grant Agreement With Bergen County for Open Space Trust Funds for the Borough's Skateboard Park

A resolution accepting \$100,000 in Open Space Trust Funds from Bergen County for construction fees associated with the Borough's skateboard park on Anderson Avenue will be placed on the March 12th regular meeting proposed consent agenda.

Generator Set Bid for the Radio Communications Project

A resolution authorizing rejection of the generator set bid submitted by Productivity Partners, Inc., because it has been deemed non-compliant and non-responsive by the Borough Attorney will be placed on the March 12th regular meeting proposed consent agenda.

The resolution will also include language to rebid for the generator.

PUBLIC HEARINGS SCHEDULED FOR MARCH 12, 2009

Ord. #2009-11--\$200,000 Bond Ordinance for Abbott Boulevard Pedestrian Infrastructure Improvement Project - \$184,000 Expected Grant to be Received from the New Jersey Department of Transportation

Ord. #2009-12--Vacating a Portion of Euclid Road

Ord. #2009-13--Amending Chapter 356, Solid Waste, Sections 21 and 23, Definitions and Designation of Recyclable Materials

Ord. #2009-14--Amending Chapter 289, Parking, Article IV, Parking Meters, Municipal Parking Lots and Permit Parking and Chapter 388, Vehicles and Traffic, Article IV, Administrative Provisions and Section 40, Increase in Fee Schedule for Various Parking Violations

Ord. #2009-15--Amending Chapter 410, Zoning – Sign Permit Fees and Establishment of Escrow Fees for Sign Permits

Ord. #2009-16--Amending Ord. #2008-33 Determining Positions Eligible for the Defined Contribution Retirement Program – Municipal Court Administrator to be Included in PERS

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.July 4th Fireworks	Mayor Sokolich

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

Neil Grant, RMC
Borough Clerk

**BOROUGH OF FORT LEE
2009 MUNICIPAL BUDGET
INITIAL SUMMARY SHEET
(Appendix A)**

Total Appropriations 2008	\$63,608,851	
Total Appropriations 2009	<u>66,650,217</u>	
Increase	<u>\$ 3,041,366</u>	
Percentage	<u>4.56%</u>	
Tax Levy 2008	\$53,667,232	CAP
Tax Levy 2009	\$55,440,995	55,740,036
		UNDER CAP
Increase	<u>\$1,773,723</u>	-299,081
Percentage	<u>3.31%</u>	

Appropriation Increases

Salaries and Wages - Police	\$603,250
Salaries and Wages - Other	252,207
Health Benefits	1,252,400
Other Insurance	81,127
Library	56,175
Debt Service	(458,215)
Pension	477,678
BCUA	253,039
Utilities	109,000
Reserve for Uncollected Taxes	436,000
Other Expenses	<u>(-21,295)</u>
	\$3,041,366

Revenue Reductions

Surplus	-\$725,000
Interest on Investments	-358,000
Reserved for Debt	484,301
Receipts from Delinquent Taxes	1,123,000
Ambulance Fees	<u>900,000</u>
	\$1,424,301

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 5, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Litigation: Settlement Between Ciena Funding LLC and
The Borough of Fort Lee

RFQ/Contract Nelson Page

RFP/RFQ: Centuria (Redevelopment Area #5)

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

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

ENGINEERING DISCUSSION

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

Traffic Engineer Proposals for Main Street/Hudson Terrace Roadway Improvements

Mr. Mignone stated that Ney Associates (Ney) was the Borough's 2008 traffic engineer and that Ney has an outstanding open bill in the amount of \$18,562.76 to close out his contract. This relates to the work Ney has performed with regard to the Main Street/Hudson Terrace Roadway Improvement Project.

Mr. Mignone added that CMX, Inc. is one of two traffic engineers the Borough has authorized in 2009. CMX has given him a proposal of \$11,000 to perform inspections of the additional traffic signals that are needed for the project. A lot of the additional work relates to working around Prestige Auto Body on lower Main Street.

Mayor Sokolich asked if the outstanding bill of Ney and the new proposal for CMX are reasonable.

Mr. Mignone replied affirmatively.

Resolutions authorizing the payment to H. Ney Associates and accepting CMX's proposal will be placed on the February 12th regular meeting proposed consent agenda.

Amendments to the Borough's Recycling Ordinance

Mr. Mignone stated that there are new regulations from the New Jersey Department of Environmental Protection (DEP) with regard to recyclable materials. The Borough's present ordinance has to be amended to include mixed paper and type 1 and 2 plastic containers.

Mr. Cohen's office will prepare an ordinance amending Chapter 356, Solid Waste, to include the new DEP regulations. The ordinance will be introduced at the February 12th regular meeting.

Main Street/Bigler Street Parking Garage - Paul Kaufman, Esq., in Attendance

Robert Pimienta, President of Impact Realty Associates, Inc., was present for this portion of the meeting.

Lloyd Rosenberg, AIA, President and CEO, and Charles Sarlo, Esq., Vice President of DMR Architects, were present for this portion of the meeting.

Conversation ensued with regard to the need for a garage on the property located on Main Street and Bigler Street across from In Napoli and the Centuria property.

Mr. Pimienta, stated that his company is currently building a garage in Jersey City and has other public projects in Paterson and explained how a garage can revitalize an area. He explained what can be done at the site to service the retail area. The basic plan would call for 228 parking spaces. He understands that garages in themselves don't represent a positive cash flow, but by adding a retail component it can be profitable. The methodology is unique and would be done through a private-public partnership.

Mr. Rosenberg, presented diagrams and explained about surface parking under the building. The Main Street side is more elevated and there would be retail space. The entrance of the garage off of Central Road and the garage would be screened. The stairwell on the tower and elevators would connect the retail component with the parking. The structure would be five stories

high with a total of 13,000 square feet of retail space. There would be limited windows on the bottom floor and the top floor would be suitable for three to four offices. The basic plan being discussed tonight is flexible.

Mr. Kaufman concurred that the retail space is flexible. The Borough would own the garage and the retail component. He added that DeCotiis has been involved with these kinds of projects before.

Mr. Pimienta looked at an accurate survey and confirmed that it can be constructed. The program would introduce Certificates of Participation (COPS) for public purpose projects. Municipal bonds are subject to annual appropriations. It's not a long-term debt and the Borough could walk away and incurring only minor costs if the money is not appropriated. It's considered revenue-neutral.

Mr. Cohen stated that the Borough would hold the deed to the property if constructed.

Mr. Rosenberg explained that they do not maintain ownership. They take developer fees and arrange the financing. It would be considered tax exempt financing and a design builder comes in provided by his firm and the Borough at the end takes over the leasing through COPS.

Mr. Cohen stated that it's probably tax-exempt. He would just have to get an opinion to confirm it.

Ms. Kaufman added that at this time no geo-technical survey has been performed on the property.

Mr. Cohen stated that both sides would need a geo-technical survey which could run upwards to \$300,000.

Mr. Pimienta added that the value of the project is predicted based on 20% of the drawings being completed and that his firm takes the risk of the ultimate cost.

Mr. Kaufman added that he would need to get a quote from an engineering firm to see how long it would take to get a geo-technical survey.

It was predicted that the retail space would generate \$45.00 per square foot (net). The money generated would service the debt including the retail space and parking component.

Mr. Cervieri spoke about the previous proposal for this property that was more intensive. He said the Mayor and Council did not reject the previous proposal, but it was not embraced.

Mr. Pimenta estimated that the project would generate \$1,200,000 in gross annual retail sales.

Mr. Cervieri asked if the parking company would be interested in net-leasing the parking to the Borough. If the economics make sense then the Borough would be interested.

Mayor Sokolich asked about the potential building of condominiums on the property.

Mr. Kaufman explained to be able to do COPS the project would have to stay inside the public umbrella.

Ms. Kasofsky asked about projects this firm has previously completed.

Mr. Pimenta stated that he would draw up a list of projects his firm is working on and has completed. He added that this is considered a small project for his firm.

Mr. Goldberg left at this point in the meeting at 8:40 p.m.

Mr. Pohan stated that if Centuria is not built then this project might not be the best project.

Mayor Sokolich stated that he likes the modest retail component of the project. He added that Mr. Kaufman being here gives the project credibility. He's not totally grasping the financials at this point and expects that if the governing body wants to move forward the financial portion of the project would have to be laid out in a formal document so that's totally understood by everyone.

Mayor Sokolich added that there is less risk involved for the Borough by doing a feasibility study which would create a model project.

Mr. Kaufman stated that the principal payment due can change yearly but the interest on the project would stay the same. The firm he's representing would be responsible for dealing with the underwriter.

Mr. Cervieri closed by saying that tonight's presentation was better than the previous one the governing body heard back in November of 2008.

GENERAL DISCUSSION

Bid Extension for Firefighter Personal Escape System

Ms. Thomas stated that the Borough has requested a one-month extension for this bid to give the Fire Department a little more time to properly review the bid.

Capital Ordinance for Safe Routes to School Program

Ms. Thomas stated that the Borough will have to prepare a \$200,000 bond for the Abbott Boulevard pedestrian path; however, the Borough is expected to be reimbursed \$184,000 in the form of a way of a grant from the New Jersey Department of Transportation for the project.

Mr. Cervieri asked what kind of timeline is expected for the project.

Mr. Mignone replied that it will take at least one month to do the design work.

A bond ordinance as prepared by the Borough's bond counsel in the amount of \$200,000 will be introduced at the February 12th regular meeting.

American Flags on Main Street

The Mayor and Council agreed to hold off on this item at the present time.

5K Diabetes Run

Mayor Sokolich stated that this will be a jointly sponsored event with the Borough of Cliffside Park. Most of the race route will be in Cliffside Park with a portion of the route being on Abbott Boulevard south of Route 5. Linda McCue, Fort Lee Board of Education Trustee, is working on this event. There will be some overtime costs associated with the event.

Mr. Cervieri asked how much the Borough will have to pay in overtime costs for being a joint sponsor of the event.

Parking Fines

Mr. Sohmer handed out a worksheet showing different parking fines from neighboring towns. This does not include raising the fine for overtime meter violations. This has been recommended to the Parking Authority by the Chamber of Commerce.

An ordinance amending various sections of the Borough's code to increase the fine for certain parking violations will be placed on the February 12th regular meeting for introduction.

Defined Contribution Retirement Program

An ordinance amending Ordinance #2008-33 which determined eligible positions for the defined contribution retirement program will be amended so that the Municipal Court Administrator will be included in the PERS.

Mr. Cohen stated that this has no practical effect as the current Municipal Court Administrator was PERS eligible because she was already working in the Borough before the State established the defined contribution retirement program.

Approving Limousine License for Pearl 1 Car Services at 2050 Center Avenue

The Mayor and Council spoke about the potential owner's traffic scofflaws.

The Mayor and Council requested that the Police Chief make a formal recommendation based on whether he's satisfied that all of the parking/traffic summonses have been properly disposed.

This item will be placed on the February 12th regular meeting agenda for action if the Mayor and Council receive a recommendation letter from the Chief; otherwise, the item will be placed back on a future executive session for further discussion.

Application for Mobile Food Truck License

A resolution approving a mobile food truck owner's license for Nicholas Denardo as approved by the Police Department will be placed on the February 12th regular meeting proposed consent agenda.

2009 Fireworks for July 4th

After a brief conversation the Mayor and Council agreed that due to the ongoing tough economic climate that they would not authorize a July 4th firework's display this year.

Clothing Bins - Goodwill Industries

The Mayor and Council agreed that because the Borough has clothing bins that benefits the Fort Lee Community Fund that they will not ask an outside agency to place bins in the Borough.

ICS Training for Public Officials

Ms. Thomas will setup a May or June training session before a regularly scheduled meeting of the Mayor and Council.

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 12, 2009

Ord. #2009-9-- Amending Chapter 316, Section 1, to Include Photograph Fees and to Clarify Language and Fees for Police Department Audio and Video Recordings
Ord. #2009-10--Amending Chapter 193, Section 2A by Eliminating Signage Fees Which are Already Incorporated Into the Borough's Zoning Code

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Clothing Bins for Madonna Church .Pearl 1 Car Service	

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

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 29, 2009 @ 7:00 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 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:

Potential Litigation: Fort Lee Police Department

Litigation: Borough of Fort Lee vs. Nicholas Vucci and
Travelers Companies, Inc.

Iafelice vs. Borough of Fort Lee

Contracts: Peter Abeles (Land Use LLC)
Borough Website

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

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

ENGINEERING DISCUSSION

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

Vacating a Portion of Euclid Road

Mayor Sokolich recused himself on this matter and Council President Sohmer chaired this portion of the meeting.

Mr. Mignone stated that the Borough would be vacating an unimproved portion of Euclid Road and that the area in question has been surveyed.

Mr. Cervieri stated that there are no utilities on the area in question.

Mr. Mignone replied there will be an utility easement on the entire vacated area. No one knows what's underneath the rock.

Ms. Thomas added that the alignment of the vacated portion of the street can't be identified yet and is being reserved for the future.

An ordinance vacating a portion of Euclid Road will be placed on the February 12th regular meeting for introduction.

Change Order #3 for First Solar Electric, LLC (Solar Panels for Various Borough Buildings)

Mr. Mignone stated that the Borough can put in the kiosk which includes a 19" wall mounted LCD touch screen at a cheaper price than the vendor. The unit will be expandable and will be on-site at the Community Center which is the Borough's largest solar site.

A resolution approving change order #3 for First Solar, Electric, LLC in the amount of (-\$19,359) will be placed on the February 12th regular meeting proposed consent agenda.

Endorsing Discretionary Aid Grant Application to the New Jersey Department of Transportation (NJDOT) for Roadway Improvements to Eighth Street

Mr. Mignone stated that the Borough will be doing roadway improvements to Eighth Street. This is not part of the North Avenue roadway project.

A resolution endorsing a discretionary aid grant application to the NJDOT will be placed on tonight's regular meeting proposed consent agenda.

GWB Streetscape

Mayor Sokolich stated that he would like to see the cross roads on Fletcher Avenue, Linwood Avenue, Center Avenue and Lemoine Avenue be streetscaped. The Port Authority would pay for the streetscape and the Borough would pay to beautify the areas in question with hanging plants and/or shrubbery.

Mr. Cervieri stated that the Borough should get a letter from the Port Authority indicating that they will offer financial support to the Borough.

Mayor Sokolich replied that he would send a letter to them.

It was agreed that the monitoring station that the Port Authority has should also be eliminated.

Mayor Sokolich stated that Linwood and Center Avenue should be the first areas cleaned up and beautified.

The Council had no objection to starting in those areas.

GENERAL DISCUSSION

Environmental Committee

Mayor Sokolich stated that he's looking for a very small limited group to deal with environmental issues such as making the Borough as green as possible.

He requested that the governing body offer up some names to him.

Mr. Pohan asked what would be the charge of the committee. In the mean time he will consider some name(s) to give to the Mayor.

Towing Ordinance

Mayor Sokolich stated that the Borough has been receiving a lot of complaints, especially at the Fort Lee Town Center (Border's Books).

Ms. Thomas stated that she has sent all the materials that she has to the Police Department who should be dealing with the enforcement of the Borough's towing ordinance and in addition make any suggestions to rectify the ongoing problems.

Mr. Cohen concurred that towing issues are the Police Department's responsibility.

Dissemination and Notification of Information

Mr. Goldberg asked to be included with regard to information being given out on short notice such as when there is a death and when a funeral maybe scheduled on short notice.

Purchase of Vests for Police Department

Ms. Thomas stated that a resolution authorizing the purchase of forty-five police vests from Ray's Sport Shop through the Police Department's confiscated fund account at a cost of \$52,749.95 will be placed on tonight's regular meeting proposed consent agenda.

Mr. Cohen added that police vests only have a certain shelf life before they become unusable.

Preparation of Developers Agreements

Mayor Sokolich stated that he has worked this issue out with Mr. Cohen.

Amending Chapter 321, Rental Property Unlawful Residential Premises

Mr. Cervieri asked that this item be placed back on next week's meeting agenda. This item if adopted into the Borough's code would cause extra due diligence on real estate people.

Hybrid 4x4 Vehicle

Ms. Thomas stated that Paul Favia is using an old beaten up vehicle from the Recreation Department. She's requesting a new hybrid vehicle be bought so that Mr. Favia can deal with his ambulance billing responsibilities.

Mayor Sokolich stated that he would like to ponder the idea before committing to the purchase of a new vehicle.

2009 Fireworks for July 4th

Mr. Goldberg suggested combining the Borough's firework's program with the Borough of Edgewater. The most expensive portion of the event is the amount paid in police overtime.

Ms. Thomas will send out a list to the Mayor and Council of the costs associated with the fireworks.

Leveraging of PARIS Grant Funds for 2009-2010

Mr. Grant will prepare a letter and send it to Bergen County to leverage the Borough's funds to Bergen County for 2009-2010 so the county can continue with its scanning and archiving program which the Borough is using for its records.

PUBLIC HEARINGS SCHEDULED FOR JANUARY 29, 2009

- Ord. #2009-1--Amending Salary Ordinance #2008-2 Establishing Salaries for the Mayor and Council (Schedule C)
 Ord. #2009-2--Amending Salary Ordinance #2004-41 and #2008-3 Establishing Salaries for Various Borough Professional Positions (Schedule B)
 Ord. #2009-3--Amending Chapter 90, Police Department Table of Organization
 Ord. #2009-4--Amending Chapter 388, Sections 14 and 69 Placement of Handicapped Parking Space by 401 Park Place
 Ord. #2009-5--Amend Ord. #2008-39 Handicapped Parking Space on Glen Road by Relocating the Handicapped Parking Space
 Ord. #2009-6--Amending Chapter 261, Article VII, Land Use Procedures, Affordable Housing Development Fees
 Ord. #2009-7--Amending Chapter 261, Land Use Procedures, Article VIII, Parking Improvement Program Developer Contribution Special Fund in Lieu of Installation of Off-Street Parking Spaces
 Ord. #2009-8--Establishing Chapter 70, Housing Liaison, Municipal, for the Purpose of Administering the Borough's Affordable Housing Program Pursuant to the Fair Housing Act

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Environmental Committee New Construction/Solar Panels	Mayor Sokolich Mr. Cervieri
	.Planting of Azaleas	

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** at 7:58 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 15, 2009 @ 7:23 p.m.

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

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

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

MAYOR'S STATEMENT

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

1. On January 6, 2009, 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 7, 2009, 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 2009 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

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

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

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

Personnel: Municipal Court
Fire Department Stipend
Police Department Table of Organization

Litigation: Daniel Reich, DMD vs. Board of Adjustment
et al.

Borough of Fort Lee vs. Campo et al.

RFQ/RFP for Redevelopment Area 5 (Centuria)

RFQ/Contract for Computer Consultant

RFQ's: Bond Counsel
Conflict Counsel
Traffic Engineer
Purchasing Consultant
Borough Planner
Nelson Page

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

DPW Salt Shed

Ms. Thomas stated that Ed Mignone, Borough Assistant Engineer, sent everyone a report with regard to potentially sharing a salt shed with the Borough of Leonia. His report indicated that it would not be a good idea because the location of the shed in Leonia is too far from Fort Lee and would have also required the Borough's DPW vehicles to go up and down the steep hill on Fort Lee Road.

The Mayor and Council concurred with Mr. Mignone and told Ms. Thomas that she should let Leonia know that the Borough is not interested.

GENERAL DISCUSSION

2009 Municipal Budget

Mr. Sohmer expressed that he would like to revisit the budget that Ms. Thomas and Mr. Iannaconi have been dealing with in hope that each department can cut their specific budget by an additional 5%.

Ms. Thomas replied that she will come to the Council to discuss potential budget cuts.

Mr. Cervieri stated that he would like to see the cutting of the noon time crossing guards at locations in which the children do not go out to lunch which is at every public school except for the high school.

Refunding Bond Ordinance

Mr. Iannaconi stated that a refunding bond ordinance and/or resolution will be needed to be approved at the January 29th regular meeting. This is to refund a previous bond issue from 1999.

Sub-Finance Committee w/Regard to Insurance

Mayor Sokolich established a sub-committee of Messrs. Pohan and Goldberg to look into various insurance issues within the Borough.

Mayor Sokolich to send a letter to Messrs. Pohan and Goldberg formalizing the action that was taken at tonight's meeting.

Preparation of Developer's Agreements

Mayor Sokolich stated that the developer's agreements are taken a long time to be completed.

Mr. Cervieri stated that the Planning Board and Board of Adjustment Counsels should prepare them and that the Borough Attorney could review them. He has been receiving complaints from developers.

Mr. Cohen stated that his office took over the preparation of the developer's agreement after many people were not complying with the conditions of the agreements. He added that in many cases the developers are not getting the required documentation and escrows to his office so it takes a long time before the agreements become complete.

Mr. Cohen used the Church of the Madonna's agreement as an example where they asked for an exemption from the Developer's Agreement and new agreements needed to be prepared.

Mr. Pohan spoke to the Board's memorialization dates.

It was agreed by the Mayor and Council that this item will be placed back on the January 29th executive session for further discussion.

2009 Arts & Music Festival

Ms. Thomas stated that the 2009 Arts and Music Festival will be held on Sunday, June 7th with a June 14th rain date.

The Mayor and Council expressed no objection to the date(s) for the festival.

Website Notification System

Mayor Sokolich met with Mr. Sohmer and Peggy Thomas along with the Borough's website provider with regard to upgrading their service to provide for a citizen notification system.

Mr. Sohmer stated that the town can be dissected into different quadrants so different items can be available at different time depending on what's happening within the Borough.

Mr. Cervieri asked why the Borough has not received different web proposals at this point.

Mayor Sokolich replied that he doesn't care who the Borough uses as long as it gets done.

Mr. Cohen stated that this procurement could be potentially an extraordinary unspecifiable service (EUS). If the total cost is less than \$21,000 no bidding is legally required.

Mr. Goldberg asked who owns the Borough's domain name.

Ms. Thomas replied that the Borough owns the domain name but the Website provider can close the Website down because he controls the content.

Mr. Cohen added that this is or could be a software issue.

The Mayor and Council agreed to place this item back on the January 29th executive session for further discussion.

Approving Developers Agreement for Madonna Church

A resolution approving a developers agreement for Madonna Church as prepared by Mr. Cohen's office will be placed on tonight's regular meeting proposed consent agenda.

Bid Summary for DPW Vehicles: Two Dump Trucks, Broom Street Sweeper & Articulating Aerial Device

Ms. Thomas stated that the purchase of a dump truck, broom street sweeper and articulating aerial device will be paid for out of old capital accounts.

Resolutions awarding bids for the vehicles will be placed on tonight's regular meeting proposed consent agenda. A resolution rejecting the bid for the small dump truck will also be placed on tonight's meeting agenda. The sole bidder for the small dump truck did not comply with the bid laws.

Bid Summary for Fire Department Escape System

Ms. Thomas stated that the bid is being reviewed by the Fire Department and that no action will be taken at tonight's regular meeting.

Bid Summary for a Hybrid 4x4 Vehicle

Ms. Thomas stated that the Borough will be awarding a bid for a hybrid 4x4 vehicle at tonight's meeting for the Communication's Department.

A resolution awarding bid to Route 23 Ford, Butler, New Jersey in the amount of \$29,995 will be placed on tonight's regular meeting proposed consent agenda.

Affordable Housing Development Fees

An ordinance as prepared by Mr. Cohen's office for affordable housing development fees as required by the New Jersey Affordable Housing Council will be placed on tonight's regular meeting for introduction.

Parking Improvement Program Developer Contribution Fund

An ordinance as prepared by Mr. Cohen's office to amend the Borough's parking improvement program developer contribution fund in lieu of installation of off-street parking spaces will be placed on tonight's regular meeting for introduction.

Placement of Handicapped Parking Space on Linwood Avenue and Changing Distances of Handicapped Parking Space on Glen Road

Ordinances creating a handicapped parking space by 401 Park Place and changing the location of a previous approved handicapped parking space on Glen Road to make it more safe will be placed on tonight's meeting for introduction.

Person-to-Person/Place-to-Place Liquor License Transfer to 442 Main Street LLC at 442 Main Street

Mr. Grant stated that the Police Department investigated the applicant with regard to this liquor license transfer. They expressed no objections to the transfer of the liquor license.

A resolution authorizing person-to-person/place-to-place liquor license transfer from 246 Main Street Restaurant Corp. (inactive status) to 442 Main Street LLC will be placed on tonight's regular meeting proposed consent agenda.

Appointments to the Emergency Management Council

A resolution authorizing various appointments to the New Jersey State Office of Emergency Management as required by the New Jersey State Office of Emergency Management will be placed on tonight's regular meeting proposed consent agenda.

Amending Chapter 193, Sec. 2A - Construction Codes, Uniform - Signage Fees

Erik Swanson, Building Department Subcode Official, requested that the signage fees listed in Chapter 193, Sec 2A, be eliminated as the fees have been incorporated into the Borough's sign ordinance which is part of the Borough's zoning code.

It's expected that an ordinance eliminating the signage fees incorporated into Chapter 193, Sec 2A, will be introduced at the January 29th regular meeting.

Amending Chapter 321, Rental Property Unlawful Residential Premises

The Mayor and Council requested that this item be placed back on the January 29th executive session for discussion.

Police Photograph Fees

The Police Department requested that fees be charged for photographs that they have to send out for certain requests.

It was agreed that the Borough Attorney will prepare an ordinance that will mimic what New Jersey State Police charge for photograph fees which is \$5.00 for the first ten (10) photographs and \$3.00 for each additional photograph.

It's expected that the ordinance will be introduced at the January 29th regular meeting.

NIMS Training for Elected Officials

Ms. Thomas stated that the Mayor and Council are required to have mandatory training with regard to the National Incident

Management System (NIMS). The required training which will be conducted by Bergen County Emergency Management is 1.5 hours in duration.

Mr. Cervieri asked if the training can be done on-line.

Ms. Thomas replied that she will check into Mr. Cervieri's request. If the training cannot be done on-line then she will schedule the training before an executive session meeting.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Board of Adjustment Litigation: Reich vs. Borough	Mayor Sokolich

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

Neil Grant, RMC
Borough Clerk