

**SPECIAL EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, December 12, 2002**

PRESENT: Council Members Kasofsky, Villano, Goldberg,  
Voss, Cervieri

ABSENT: Mayor Alter, Councilman Meyers

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney  
Armand Pohan, Councilman Elect  
Michael Sargenti, Councilman Elect

**SPECIAL MEETING STATEMENT**

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

On December 6, 2002 a written notice of the time, place and proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

On the same date a copy of said written notice was mailed to the Record, the Jersey Journal and Palisadian and a copy was filed with the Borough Clerk.

On the same date, copies were mailed to all persons who have requested copies of such notices, and have prepaid the fee fixed for the year 2002.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Fire Prevention  
Police Department  
Recreation Department  
Senior Citizens Department

Litigation: 2011 Lemoine Avenue Corp vs. Board of Adjustment et al.

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.

Mr. Grant stated that this meeting was originally scheduled for December 5<sup>th</sup> but was cancelled due to the inclement weather.

### **ENGINEERING DISCUSSION**

Edward Mignone, Boswell McClave Engineering representative, was present for this portion of the meeting.

#### **Van Fleet Park Improvements**

Ms. Thomas handed out a summary of four different proposals for the improvements to Van Fleet Park. Ms. Thomas explained some of the differences as all four proposals took a slightly different view. (see attached addendum)

Mr. Pohan asked Ms. Thomas to get a ballpark figure from Kinsey Associates as to what their price would be for the use of natural and artificial turf.

Mr. Villano stated that he likes the way that the proposal of Sports Field Management Systems Inc. was set up.

It was agreed that this item would be brought back at the January 2<sup>nd</sup> executive session for discussion. This will give time for the new governing body to absorb the proposals.

#### **Enhancement of the Southern Portion of Federspiel Street**

Mr. Mignone stated that there is a limited right-of-way on Federspiel Street. He believes that the standard design has to be changed because of the limited right-of-way. It's his recommendation to keep the gray streetscape border and shrink the red border.

Mr. Cervieri replied that the street should only be done in Belgian block, and that this residential area should have no streetscape in front of their houses. The high-rises are going to be streetscaped. Because the street is narrow, it's going to

have to be decided which sidewalk to do.

Mr. Mignone estimated that there will be a \$600,000 cost for this project without any easements.

Mr. Muhlstock stated that a limited number of land takings are going to have to take place. It's not a lot of land. He originally had met with Elliot Sachs to see what was going to be need to be taken. There are some spaces for permanent taking; however, overall it should not really have a major impact on the homes there.

Mr. Mignone added that 15,000 square feet takes into account the standard streetscape along the whole length of the street on both sides.

Mr. Muhlstock added that when a final design is decided upon he will speak to Mr. Mignone.

Mr. Mignone said that he wants to hold another design committee meeting.

### **Cumbermeade Road Grant**

Mr. Mignone stated that the Borough received a \$125,000 State grant for this project. Construction is estimated at \$174,000. The Borough is paying \$14,000 for the design specifications. Mr. Mignone asked the governing body if it wants to go forward or change the scope of the project to stay within the State grant. The project includes curbing, paving and spot sidewalk repair.

Ms. Thomas replied that the additional money needed can be squeezed out of the capital budget.

The council had no objections to funding the anticipated extra cost of the project.

### **Columbia Avenue Storm Sewer Improvements - Agreement With Bergen County**

A resolution authorizing execution of agreement with Bergen County with respect to the drainage bypass project at Anderson and Columbia Avenues will be placed on tonight's regular meeting proposed consent agenda.

Mr. Grant stated that there will be a bond ordinance introduced for this project next year. Bergen County will be reimbursing the Borough monies spent on the project.

**Advertise for Bids for Bluff Road Sewer Separation**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for the Bluff Road sewer separation project in conjunction with the Borough Engineer will be placed on tonight's regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Anderson Point Park**

Ms. Thomas stated that this project is in a holding pattern. Everything has been scaled back for a \$10,000,000 plan. She asked for authorization for Mr. Marchetto to go further to prepare construction documents and drawings.

Mr. Villano wanted to know why the project is being held up.

Mr. Cervieri replied that the Borough hasn't received the full scope of the project. He would like the new council to make a decision on this matter.

Ms. Thomas stated that the location of the parking has changed.

Mr. Pohan stated that the project has been substantially revised. He would like to see Mr. Marchetto appear at an executive session in January.

Mr. Villano said that the street is not going to be vacated, there is no change to the sewer line and parking will be above ground. He would like to have Mr. Marchetto go forward on this as soon as possible.

Mr. Pohan asked if anything has changed with regard to the field.

Mr. Villano replied that the field is one third smaller than originally planned.

Mr. Cervieri asked how much money is the next step going to cost. He would like to see the proposal in writing from Mr. Marchetto.

It was agreed that this item would be placed for discussion at a January executive session.

**Damaged Fire Truck - Richard Radoian, Motor Vehicle Coordinator in Attendance**

Mr. Radoian stated that two insurance companies are looking into the accident of the fire truck. He's asking for permission to send the damaged truck to the manufacturer. The manufacturer has estimated that the cost to repair the truck is \$65,000 without looking at it. He's also suggesting that the insurance adjuster go to Pennsylvania where the manufacturer is located. The truck is approximately seventeen years old. LTI is the manufacturer.

Mr. Muhlstock stated that the manufacturer and insurance companies need to work together.

Mr. Goldberg added that the ladder is the problem.

Mr. Radoian estimated the cost of a new truck to be approximately \$800,000.

**Police Department Four-Wheel Drive Vehicles**

Mr. Radoian was present for this agenda item.

Mr. Radoian stated that the requested purchase of the new four-wheel drive vehicles for the Police Department is necessary.

A resolution authorizing the purchase of two 2003 Ford Explorers for the Police Department at a total cost of \$45,998 will be placed on tonight's regular meeting proposed consent agenda.

**Ambulance Vehicles**

Ms. Thomas stated that she will bring this item back for discussion at one of the January executive sessions.

**Police Department Lap-Top Computers**

A resolution authorizing the purchase of five lap-top computers and related computer peripherals for the Police Department's vehicles at a cost of \$27,380.75 will be placed on tonight's regular meeting proposed consent agenda.

**Police Department Purchase of Xerox Copy Machine**

A resolution authorizing the purchase of a Xerox copy machine for the Police Department at a cost of \$24,697 will be placed on tonight's regular meeting proposed consent agenda.

**Awarding Bid for Channel Monster Electric Grinder**

A resolution awarding bid to Rapid Pump & Meter Service Co., Inc. for a channel monster electric grinder for the Valley Street pump station for the Department of Public Works at a cost of \$39,680 will be placed on tonight's regular meeting proposed consent agenda.

**Authorizing Lease/Purchase of Copy Machine for Fire Prevention Bureau**

A resolution authorizing the lease/purchase of a copy machine for the Fire Prevention Bureau at the cost of \$24,167.80 for a five year lease agreement with a \$1.00 purchase buy-out at the end of the lease will be placed on tonight's regular meeting proposed consent agenda.

**Approving Developer's Agreement at 2174 Edwin Avenue**

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

**Issuance of Special Emergency Notes**

Ms. Thomas stated that the authorization of special emergency notes was being done as part of the Borough's revaluation.

A resolution providing for special emergency notes not to exceed \$500,000 will be placed as a separate resolution on tonight's meeting agenda.

**Liquor License Transfer - Star Market to Good Nature Fort Lee Market Inc., at 1379 Sixteenth Street**

Mr. Grant stated that all of the required approvals have been received for the transfer of the liquor license.

A resolution authorizing person-to-person and place-to-place transfer of the above liquor license will be placed on tonight's regular meeting proposed consent agenda.

Reorganization Meeting Date

It was agreed that the Reorganization Meeting of the Mayor and Council will be held on January 1, 2003 commencing at 5:00 p.m.

Mr. Grant to send out the required legal notice for the meeting.

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 12, 2002

- Ord. #2002-49--Amending Chapter 388, Section 51, Schedule VII- One Way Streets
- Ord. #2002-50--Amending Salary Ordinance #2001-16 - Providing Salaries for Police Administrators and the Chief of Police
- Ord. #2002-51--Establishing a Salary Ordinance for the Department Heads, Borough Clerk, Chief Financial Officer, Tax Collector, Tax Assessor and Borough Administrator
- Ord. #2002-52--Refunding Bond Ordinance for Certain Unfunded State Pension Liabilities - \$4,300,000
- Ord. #2002-53--Amending Salary Ordinance #2002-14 for Director of Economic Development
- Ord. #2002-54--Amending Ordinance #2002-31 "Tree Removal and Replacement" - Penalty for Violation - Fine up to an Amount Not to Exceed \$1,250

PUBLIC PARTICIPATION

There was no public participation.

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, November 7, 2002 @ 8:15 pm**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss

ABSENT: Councilman Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Lee Cohen, Esq., for Borough Attorney  
Armand Pohan, Councilman Elect  
Michael Sargenti, Councilman Elect  
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 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Park's Department  
Police Department/Police Grievance  
Economic Development/Building Department  
Borough Administrator  
Recreation

Contracts: Department Heads

Litigation: V&R Developers, Inc., vs. Fort Lee

Atrium Palace Syndicate vs. Fort Lee

Substitute of Attorney for Tax Assessor

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

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

**ENGINEERING DISCUSSION**

Edward Mignone, Boswell McClave Engineering representative, was present for this portion of the meeting and the continuation of the engineering discussion.

**Van Fleet Park Improvement**

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

Messrs Levy, Alter, Cervieri and Ms. Thomas had met with Boswell Engineering, who believed that the drainage at Van Fleet Park was fine. Because of the amount of use at the field, they changed their opinion that the current grass field will not hold up with continuous use. Boswell also indicated that grass treatment with fertilizers is an issue waiting to happen for all municipalities. Mr. Levy to speak to Nancy Stern, Board of Education President.

Mr. Levy stated that after subsequent discussions with Boswell, it was determined that if the field is changed to astro or prescription turf, the drainage problem could be resolved. Stephen Boswell had given him a figure of approximately \$250,000 off the top of his head, but the written proposal came in at \$500,000. Mr. Boswell realized he had made a mistake when he quoted Mr. Levy the \$250,000 amount.

Mr. Levy feels that it may be prudent to get a second engineering opinion. Mr. Pohan has an engineer that he believes should take a look at the field.

Mr. Meyers stated that he definitely wants a second opinion as Boswell has not done a good job since the onset of this project.

Mayor Alter reminded Mr. Levy that the Borough has an on-going lease for the use of Van Fleet Park with the Palisade Interstate Park that terminates in approximately ten years. He wants Mr. Levy to negotiate an extension to the lease before the Borough spends more money on a field it may not own in another decade.

Mr. Grant to distribute a copy of the lease to the Mayor and Council, Borough Administrator, Borough Attorney and Council Elects.

Mr. Pohan to receive a written proposal from his engineer which will be brought back for further discussion at the December 5<sup>th</sup> executive session.

**GENERAL DISCUSSION**

**Refunding Bond Ordinance - Steve Wielkocz, Borough Auditor, in Attendance**

Mr. Wielkocz explained that approximately four months ago the law was changed to allow municipalities to retire certain unfunded liabilities in the New Jersey State pension system. All municipalities were paying a 8.75% interest rate on a retirement schedule that was done back in 1991-1993. The reason the State passed the new law is so that an influx of cash would go into the State system.

Mr. Wielkocz handed out pages with regard to the Borough's refunding analysis. (Included as permanent record with Bond Ordinance #2002-52)

He stated that by introducing a bond ordinance to refund \$4,300,000 in pension liability to the State, there would be no major impact on the Borough's debt service tax rate. The Borough will receive an immediate savings of \$175,00 in next year's budget.

The Mayor and Council concurred that the Borough should introduce an ordinance and pass the appropriate resolution at next week's regular meeting. William Mayer, Bond Counsel for the Borough, will prepare the appropriate bond ordinance and resolution.

**ENGINEERING DISCUSSION CONTINUED**

**Anderson Avenue and Columbia Avenue Drainage Project**

Mr. Mignone explained that Dan Kingcaid had recommended that

the drainage be redirected to Wolf's Creek for the above project. Boswell was to commence a drainage study which is now completed. Bergen County said that they would fund the project, but in the short term the Borough has to pay for it before Bergen County reimburses the Borough.

A bond ordinance for approximately \$200,000 will be introduced at the beginning of next year.

Mr. Iannaconi stated that a temporary line item will be established for the project until the project is completed and the Borough is reimbursed.

**BCUA Wastewater Treatment Facilities**

A resolution opposing A-2382/S-1591 which would provide host community benefits for housing wastewater treatment facilities will be placed on the November 14<sup>th</sup> regular meeting proposed consent agenda.

**GENERAL DISCUSSION CONTINUED**

**Amending Tree Ordinance - Language of Fine Amount**

An ordinance amending the Borough's tree ordinance to change the language of the fine amount so that the Municipal Court Judge can charge a fine up to \$1,250 for violators instead of only the maximum of \$1,250 will be introduced at the November 14<sup>th</sup> regular meeting.

**Recycling Containers**

It was agreed that Tony Lione, DPW/Parks Director, should continue to purchase blue recycling containers and distribute them to the residents on an as-needed basis at no cost.

**Committee Reviews**

Mayor Alter stated that all copies of applications that are submitted to the Board of Adjustment and Planning Board should be given to the Beautification and Historic Site, Structural, Cultural and Landmark Committees for review.

Mayor Alter asked Mr. Cohen if this would present any legal problems.

Mr. Cohen replied that it would not present any legal problems.

It was agreed that a resolution will be placed on next week's regular meeting proposed consent agenda so that all developmental applications that are presented to the Board of Adjustment and Planning Board be given to the Beautification and Historic, et al. Committees.

It was also agreed that at this time the "Site Plan" ordinance would not have to be amended.

**Retreat Funding**

Mr. Meyers requested \$2,500 for the Brigade of the American Revolution with regard to the reenactment of George Washington's "Retreat to Victory" from the Palisades in Fort Lee which is being held as part of Living History Month on November 16<sup>th</sup> and 17<sup>th</sup>.

There was no objection to his request.

**Release of Performance Bond for ECS-Fort Lee @ 550 Main Street (Tabled October 24, 2002)**

Mr. Grant stated that Mr. Cervieri told him that he now has no objection to the release of the performance bond for ECS-Fort Lee.

A resolution releasing the performance bond that was tabled at the October 24<sup>th</sup> regular meeting will be placed back on the November 14<sup>th</sup> regular meeting for approval.

**DPW Trucks**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for two trucks for the Department of Public Works will be placed on the November 14<sup>th</sup> regular meeting proposed consent agenda.

**Police Department Four-Wheel Drive Vehicles**

There was no discussion on this item tonight. This item to be placed back on the December 5<sup>th</sup> executive session.

**Police Department Lap-Top Computers**

There was no discussion on this item tonight. This item to be placed back on the December 5<sup>th</sup> executive session.

**Police Department Purchase of Motorcycles**

There was no discussion on this item tonight. This item to be placed back on the December 5<sup>th</sup> executive session.

**Police Department Purchase of Xerox Copy Machine**

There was no discussion on this item tonight. This item to be placed on the December 5<sup>th</sup> executive session.

**Amending Chapter 388, Section 51, One-Way Streets**

Mr. Grant explained that two streets are currently listed in the wrong direction in the Borough's codification and that a third street is now a two-way street.

Mr. Grant to prepare an amending ordinance for introduction at the November 14<sup>th</sup> regular meeting.

**Awarding Bid for Lease of Borough Property, Block 3203, Lot 3**

Mayor Alter recused himself on this matter and left for the the remainder of the meeting at 9:10 p.m.

Mr. Grant explained that award of bid to Southbridge Park Inc. for the lease of twenty parking spaces listed at the above block and lot for ten years will be placed on the November 14<sup>th</sup> regular meeting proposed consent agenda.

**PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 14, 2002**

Ord. #2002-42--Amending Chapter 410 "Zoning" -  
Addition of R-6A Age Restricted Apartment Residential  
Zone

Ord. #2002-45--Bond Ordinance for Purchase of Property  
at 326 Gunzter Street, Block 4601, Lot 6 - \$700,000

Ord. #2002-46 Capital Ordinance for Bergen County  
Community Development Block Grant - \$100,000 for  
Improvements to Constitution Park

Ord. #2002-47--Amending Chapter 261, Section 31(J)  
"Land Use" - Amending Signage Requirements for  
Developmental Applications

It was agreed that a minor amendment to the above ordinance should be approved at next week's public hearing. The signage should indicate that the "Board Secretary" instead of the Zoning Officer should be contacted with regard to hearing dates on developmental applications.

Ord. #2002-48--Amending Chapter 388, Section 66(D) -  
"Traffic Movement on Board of Education and Municipal  
Properties"

**Miscellaneous Items Discussed as Added on Items**

Ms. Voss spoke to traffic signalization needed on Bergen Boulevard at the ingress/egress of Pathmath and Wendy's.

Ms. Voss spoke to traffic and speeding on Abbott Boulevard.

Mr. Goldberg spoke to the extraordinary aid awards that were awarded to some municipalities. He asked Ms. Thomas to check into applying for Fort Lee next year.

**PUBLIC PARTICIPATION**

There was no public comment tonight.

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, October 17, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

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2. On January 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Ambulance Corps

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**

Elliot Sacks, Boswell McClave Engineering representative, was present for this portion of the meeting.

**Advertising for Bids for Muffin Monster for Valley Street Pump Station**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for a Muffin Monster for the Valley Street Pump Station will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

**Water Main Extension at Myrtle Avenue - to be Paid for by Applicant Louis Scarvaglione**

Mr. Grant explained that Mr. Sachs and James Carney, Fire Subcode Official, reviewed United Water's request.

He added that the cost of the pipe is to be paid by the applicant, Louis Scarvaglione.

Mayor Alter requested that United Water close the street in a proper manner when the work commences.

A resolution endorsing United Water New Jersey to approve an application for an extension to its distributing system running 100 feet of 8-inch pipe in the right-of-way off Myrtle Avenue will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

**Change Order for Improvements to Jones Road - English Paving**

Mr. Sachs described the rock material that was hit when the grading of the street was done. He added that even if borings had been done beforehand, there was no guarantee that they would have been in the right spots to determine if rock was going to be found.

Mr. Cervieri stated that this change order is a substantial number and he would have liked to have known sooner that an expensive change order was going to have to be added to the original contract price.

Mr. Muhlstock asked Mr. Sachs if the unit price of \$150 per yard is a good price.

Mr. Sachs replied affirmatively.

Ms. Voss and Mr. Sachs spoke to the depth of the road and storm sewers. Because the storm sewers were separated, more drainage was added.

Mr. Cervieri stated that the area that was hit was unexcavated.

A resolution approving a change order for English Paving for roadway improvements to Jones Road at a cost of \$57,228.66 will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

**Enhancement of the Southern Portion of Federspiel Street**

Ms. Thomas asked Mayor Alter if he wants this project started. Boswell McClave has put in a proposal to do the design work for \$48,000.

Mr. Villano asked if this project really has to be done. He believes it's too costly.

Mayor Alter replied that there are a lot of families at that intersection.

Mr. Cervieri added that it will enhance the flow of traffic in that area. This is being done in conjunction with the results of the traffic study. He wants to see the project at least designed.

Ms. Thomas stated that the Borough has put in an application for a \$100,000 Bergen County Community Development Block Grant. The application was based on the assumption that the enhancement of the street would help the residents of the new affordable housing unit that is being built on Federspiel Street.

A resolution awarding a contract to Boswell McClave to prepare construction documents for the design of the southern portion of Federspiel Street at a cost of \$48,000 will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

Mr. Villano agreed that he would not oppose the design of the project.

**Change Order for Streetscape Phase II - Bagnato & Sons, Inc.**

A resolution approving a change order for Bagnato & Sons, Inc., for the streetscape phase II project at a cost of \$3,550 will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

Mr. Grant to write a letter to Costa Engineering about placing the concrete pad for the bus shelter in front of the Richard A. Nest Senior Citizens' Center.

**New Guardrail on Jones Road**

Mayor Alter stated that Ms. Ennesser is claiming the neighbors are against the new guardrail.

Mr. Cervieri explained that because of the placement of the guardrail, people are walking their dogs in front of the guardrail as opposed to the grassy area behind the guardrail that was used before the guardrail was in place.

The Mayor and Council concurred that the guardrail is there for safety purposes and nothing further should be done at the location.

**Van Fleet Park (Added on Item)**

Mr. Meyers described Van Fleet Park as a flooded mess. The field is not draining off properly.

Mr. Sachs replied that because of the two to three inches of rain the water will stay there for a couple of days.

Mr. Meyers stated the Borough has spent millions of dollars over the last fifteen years in construction projections and feels that Boswell Engineering has not done a very good job on behalf of the Borough and in particular at Van Fleet Park.

Mr. Sachs said that during prior rainstorms he and other Boswell representatives had people looking at the drains and that they were running profusely. He commented that his predecessor had said that the Borough had put a spending limit on the project.

Messrs. Alters and Cervieri both refuted Mr. Sachs' comment.

Mr. Cervieri added that only the cliff outcropping was restricted.

Mayor Alter stated that he has a meeting planned with Stephen Boswell next week.

**GENERAL DISCUSSION**

**Authorizing Payment for Fire Dept. Inspection Dinner Fort Lee**

A resolution authorizing payment to The Venetian, for the Fire Department Inspection dinner at a cost of \$90.00 per person will be placed on the October 17<sup>th</sup> regular meeting proposed consent agenda.

**Public Library Parking Lot**

It was agreed that an ordinance will be introduced at the October 24<sup>th</sup> regular meeting that will authorize the Police Department and/or Parking Authority to issue summonses and/or to tow or boot vehicles who are parked illegally in the library parking lot.

Mr. Muhlstock to prepare the ordinance.

**OEM Vehicle Repairs**

Ms. Thomas stated that APA Trucking donated a 1990 box truck to Mr. Licata. Mr. Licata was going to spend \$6,100 to fix it up. He has already spent \$700 on the donated vehicle.

Mayor Alter asked why the Borough needs the truck.

Mr. Cervieri added that the 200 Club already donated a utility trailer to the Borough.

Ms. Thomas stated that the Borough paid to completely outfit the utility trailer. The \$6,100 that it's going to cost to repair the donated truck is not in Mr. Licata's budget.

Messrs. Cervieri and Goldberg both would have liked to have known about this donation in advance.

Mr. Goldberg asked about the truck's use or intended purpose.

Ms. Kasofsky replied that the truck has lift gates that will help the Department of Public Works employees' backs when lifting heavy objects.

Mr. Meyers stated that Mr. Licata does good work and sometimes he's an easy target.

Mr. Cervieri reiterated the fact that the Borough already spent money on the utility trailer that was donated by the Bergen

County 200 Club to Mr. Licata.

Mayor Alter stated that if he's not within budget, he shouldn't be allowed to fix up the truck.

It was agreed that Mr. Licata should attend the November 7<sup>th</sup> work session to discuss this matter further.

**Endorsing BCCD Grant Application for the Housing Authority**

A resolution endorsing a Bergen County Community Development Block Grant for an additional \$15,000 for the Fort Lee Housing Authority Child Day Care Program will be placed on the October 24<sup>th</sup> regular meeting proposed consent agenda.

**PUBLIC HEARINGS SCHEDULED FOR OCTOBER 24, 2002**

- Ord. #2002-43--Amending Chapter 388, Section 43, Schedule I, No Parking at 2200 North Central Road for 22 Feet Along East Side of Driveway Egress
- Ord. #2002-44--Amending Chapter 388, Section 57, Schedule XIII - Bus Stops

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>
Charlie Sobel 2175 Hudson Terrace	.Issuance of Certificates of Occupancy - Presidential Apartments Not Adhering to Borough Law

Mayor Alter asked Ms. Thomas to write a letter to Jim Carney, Fire Subcode Official, to find out what's occurring at the Presidential Apartment complex.

There being no further discussion, the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Voss,** at 8:40 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, October 3, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Cervieri

ABSENT: Councilwoman Voss

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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2. On January 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Police Administrators - Lee Cohen, Esq. in  
Attendance  
Police Department  
Municipal Court  
Senior Citizens Department

Property Acquisition

Litigation: Municipal Finance vs. Borough of Fort Lee  
and Tim Leodori

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**

**Awarding Bid for HVAC Modifications to Police Facility**

A resolution awarding bid to Allied Service of N.E. Inc., Lyndhurst, New Jersey, to make HVAC modifications to the police facility at a cost of \$483,960 will be placed on the October 10<sup>th</sup> regular meeting proposed consent agenda.

**Emergency Sewer Repair at Palisade Road/Whiteman Street**

Ms. Thomas stated that this was a serious emergency. A main sewer line broke last Sunday causing a lot of water to go into the roadway at the above location. The estimated cost is between \$15,000 and \$20,000. The Borough is still awaiting a bill from J. Fletcher Creamer & Son, Inc. who did the emergency repair work.

Once the bill is received, a resolution authorizing payment to J. Fletcher Creamer & Son, Inc. for the emergency sewer repairs at Palisade Road and Whiteman Street will be placed on the next available regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Additional Advisory Powers for Historic Committee**

Mr. Meyers spoke to the Long Hill Township Historic Preservation Ordinance with regard to having additional advisory powers given to the Historic Committee. The Historic Committee would be strictly advisory with no powers to stop the permit process, but it would alleviate a certain amount of ignorance from members of the Board of Adjustment and Planning Board who might not understand the historical significance of certain properties that they are giving variances to.

Mayor Alter suggested that Mr. Meyers should also be talking to Ray Levy, Director of Economic Development. He said that he names people to the Master Plan Committee and he would have no objection to naming someone that Mr. Meyers feels would better

serve the historical needs of the town while the current ordinance is being looked at by Mr. Muhlstock.

Mr. Meyers stated that they want the Historic Committee codified to reflect the additional advisory powers.

Mr. Cervieri requested that Barbara Klein, Planning Board/Board of Adjustment Secretary be contacted to have her distribute minutes on a regular basis to Robert Donohue, Chairman of the Historic Committee.

Mayor Alter asked Ms. Thomas to follow up on Mr. Cervieri's request to Ms. Klein.

Mr. Villano mentioned that if there was a Fort Lee Historic Site Map, sites would be identified more quickly as to their historical significance to the Borough.

Mr. Goldberg concurred with Mr. Villano and suggested that the map be color coded.

Mr. Meyers asked Mr. Muhlstock to review Long Hill Township's ordinance in order to move forward the Borough's current existing Historic Committee Ordinance.

**Architectural Look of Main Street**

Mr. Cervieri suggested that all commercial property upon renovation and/or new construction be built on Georgian architectural standards.

Mr. Muhlstock to get a clearer definition of Georgian architecture standards from Paul Philips, Esq., Borough Planner.

Mr. Villano stated that the architecture to be used parallels the Borough's streetscaping ordinance.

Mr. Grant to get a copy of Oradell's architectural street design ordinance.

**No Parking Ordinance on North Central Road by Driveway Egress of 2200 North Central Road**

An ordinance to prohibit parking at 2200 North Central Road by the driveway egress of the Northbridge Park Cooperative will be introduced at the October 10<sup>th</sup> regular meeting.

**Amending Bus Stop Ordinance at Borough Hall**

Mr. Grant to prepare an ordinance to change the location of the bus stop on Center Avenue westbound by Hudson City Savings Bank to in front of the Richard A. Nest Senior Citizens' Center.

He added that a bus stop to discharge passengers only will be placed 100 feet north of the apex of the curve on the northwest corner of Main Street and Martha Washington Way.

An ordinance to amend both bus stop locations will be introduced at the October 20<sup>th</sup> regular meeting.

**Amending Ord. #388-66 Library Parking Lot**

Mr. Meyers stated that the library parking lot has always had sketchy enforcement with cars parked on their lot illegally.

Mayor Alter asked that Steve Monetti, Parking Authority Executive Director, be called for his opinion on this subject.

**Amendment to Open Public Meeting Act - Public Participation**

Mayor Alter explained that even though the Legislature has excluded themselves, the Mayor and Council have no choice but to follow the new law that gives access to the public to speak at regular meetings, executive sessions and special meetings.

It was agreed by the Mayor and Council that a resolution limiting public participation to no more than three minutes for each participant for all executive sessions and/or special meetings will be placed on the October 10<sup>th</sup> regular meeting proposed consent agenda.

**Recognition of Borough Committee Volunteers**

Mayor Alter requested that yearly certificates be given to various members of boards and committees whose terms have expired and are not being reappointed.

Mr. Grant to work with various committee chairpeople to make sure certificates are given only to volunteers who showed up at the various board and committee meetings.

Liquor License Transfer Hangaram Inc. to Hyeyoung Corp., t/a Han Il Kwan @ 2053-2057 Lemoine Avenue

Mr. Grant explained that a resolution for a person to person liquor license transfer for the above license will be placed on the October 10<sup>th</sup> regular meeting proposed consent agenda or future regular meeting once state tax clearance is received by the licensee.

Added on Items

Mr. Cervieri requested that Mr. Grant prepare and read a proclamation at next week's regular meeting honoring the fifty year class reunion of the Fort Lee High School graduating class of 1952.

Mr. Meyers spoke to the Heritage Day events happening this upcoming weekend.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West Street	.Signage at Locations Where Public Hearings Are Going to be Heard By Various Boards	Mayor Alter Mr. Cervieri Mr. Meyers
	.Weed Overgrowth at Signage Locations	Mayor Alter
	.Requested More Information on Above Signs	Mayor Alter

It was agreed that Mr. Muhlstock will amend the Borough's sign ordinance to reflect that all signs should include the language "that for further information on any project that is going to be heard in front of the Board of Adjustment or Planning Board information about the project can be received from the Building Department".

There being no further discussion, the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Villano,** at 8:25 p.m.

\_\_\_\_\_  
Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, September 19, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ABSENT: Neil Grant, Borough Clerk

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Maryanne Sutura, Mayor's Secretary  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: DPW/Parks Department  
General Services  
Building & Grounds

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**

**Placement of Antenna for Police Department AM Radio Station**

Ms. Thomas stated that she received a letter from Sgt. Camille Milo asking that the governing body discuss with the library the placement of an antenna for the Police Department radio station.

Mr. Meyers replied that it's the consensus of the Library Board of Directors that they are not thrilled with the aesthetic standpoint of having an antenna on their roof.

Mr. Alter responded that if the Borough can place it at the library without harming the aesthetic value of the library, they should do so.

Mr. Cervieri suggested placing the antenna on top of the Memorial Municipal Building.

Mayor Alter asked Ms. Thomas to speak to the Police Department about placing the antenna at Borough Hall.

**Enhancement of the Southern Portion of Federspiel Street**

There was no discussion on this item tonight. This item to be discussed at a future executive session.

**Advertisement for Bids for Improvements to Euclid Road**

A resolution authorizing the Purchasing Consultant to advertise for bids for roadway improvements to Euclid Road will be placed on the September 26<sup>th</sup> regular meeting proposed consent agenda.

The Borough Engineer will prepare the bid specifications.

**GENERAL DISCUSSION**

**Honoring of Deceased Firefighter Fred Cavaliere**

Mayor Alter stated that the firefighters have a street picked out to honor the memory of deceased firefighter Fred Cavaliere.

Mayor Alter formed a committee of Ms. Voss and Messrs. Goldberg and Meyers to make recommendations to deal with requests for street namings and other honors for residents and/or deceased police officers who lose their lives.

Ms. Voss will speak to the current Fire Chief Josh Lazarus with regard to renaming one of the Borough's streets.

Mayor Alter stated that the Port Authority was very appreciative of the Borough moving so quickly after the Port Authority requested to rename Bridge Plaza South to Bruce Reynolds Boulevard, in memory of Port Authority Police Officer Bruce Reynolds, who lost his life last September 11th.

**Recognition of Borough Committee Volunteers**

Mr. Meyers requested that there be a small gathering held at the Recreation Center for Borough committee and/or special event volunteers who help the Borough on so many boards and activities.

After a brief discussion between Messrs. Cervieri, Meyers, Alter and Villano, it was agreed to discuss this item at the next work session.

**One and Two-Family Construction Amendments**

Mr. Meyers stated that the Borough has been trying to contact James Virgona, architect, who helped with the bulk requirements zoning change ordinance at the end of 2000.

Ms. Thomas has left messages for him, but she hasn't heard back from him yet.

**VALIC - Borough's Deferred Compensation Plan**

A resolution adopting changes required by the Economic Growth and Tax Relief Conciliation Act of 2001 to the Borough's existing deferred compensation plan and service agreement will be placed on the September 26<sup>th</sup> regular meeting proposed consent agenda.

**Meeting for Discussion of 540 Main Street**

Mr. Meyers stated that there are various options with funding available to the Borough to use the property the Borough owns at 540 Main Street.

Mayor Alter replied that he disagrees with Mr. Meyers on this subject. He believes it's a waste of Borough resources. Additional space is not needed for the Borough employees.

Mr. Meyers stated that the building could be used for historic and cultural affairs as well as an office for Economic Development. He spoke to the major expense of the Borough's streetscaping and feels that using the building for the above reasons will promote more businesses coming in to Fort Lee.

Mayor Alter stated that Mr. Meyers should speak to Joseph Iannaconi, Chief Financial Officer regarding the financial numbers. He added that holding onto the 540 Main Street property will be a major expense for the Borough. He believes the property should be sold.

**Assembly Bill A-332 - Forum for Public Comment**

Mayor Alter stated that the Borough already affords the public the opportunity to speak at regular meetings. He would like to write a letter opposing the new law because it doesn't apply to the legislature itself.

Mr. Cervieri mentioned that a technical amendment could be approved to limit the time someone speaks at an executive meeting.

**Bergen County Community Development (BCCD) Block Grants**

Conversation ensued as to which Bergen County Community Development Block Grants the Borough should apply for.

As per the Borough Clerk, the Borough may only apply for \$100,000 total per year for all projects combined with the use of BCCD Block Grants.

The following projects that will be given consideration for application are as follows:

1. The extension of Federspiel Street to connect with the new affordable housing project
2. Continuation of curb cuts in various sections of the Borough
3. Timers for walk/don't walk signs

The endorsing applications will be placed on the October 10<sup>th</sup> regular meeting proposed consent agenda.

**Approving Developer's Agreement for John & George Sophias at 244 Myrtle Avenue**

Mr. Muhlstock stated that this is for a four-unit townhouse development that was approved back in June of 2001.

A resolution approving the developer's agreement as originally approved by the Board of Adjustment for John & George Sophias at 244 Myrtle Avenue will be placed on the September 26<sup>th</sup> regular meeting proposed consent agenda.

**Amending/Repeal of Tree Ordinance**

Mayor Alter stated that if it's only two or three people complaining, then the ordinance should continue as is.

Ms. Voss stated that this ordinance is hurting the homeowner more than the developers.

Mr. Cervieri stated that he believes that if a tree's diameter is larger than 50.29 inches then a permit must be taken out at the Building Department. His figure still needs to be verified.

Mayor Alter replied that some corrections might be needed.

Mr. Villano suggested that if a homeowner has a diseased tree, the fee should be waived for one tree a year.

Mr. Goldberg asked how far behind is the Building Department in issuing permits.

Ms. Thomas replied that she doesn't know if they are behind at all.

Ms. Voss said that there have been some complaints about the Building Department, regarding whether they are even qualified to determine if a tree is diseased.

Mayor Alter responded that a tree surgeon then needs to be brought in.

Ms. Voss spoke to the homeowners in the Palisades section of the Borough who have preserved trees throughout the years. She feels that they are being discriminated against.

Mayor Alter replied that there has been a crescendo of complaints that the Borough is being leveled. This is why the ordinance was introduced originally.

Mayor Alter formed a committee of Council members Cervieri and Voss to come back at a future executive session with their recommendations.

Ms. Thomas suggested that Erik Swanson, Building Subcode Official, come to the meeting to get his perspective on the issue.

Mayor Alter still believes that the ultimate aim of the ordinance is for developers not to take all the trees down on the property that they are developing.

**Anderson Point Park Meeting (Added on Item)**

After a short discussion, it was agreed that a special meeting of the Mayor and Council will be held on Tuesday, October 15<sup>th</sup> to discuss the proposed plans of Dean Marchetto, architect, for the Anderson Point Park project. No action will be taken at this meeting.

Mayor Alter requested that Mr. Marchetto circulate his proposed plans before the October 15<sup>th</sup> special meeting.

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

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Maryanne Sutera  
Mayor's Secretary

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, September 5, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss

ABSENT: Councilman Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Building Maintenance  
EMT  
Police Department - Thomas Tessaro, Police  
Chief, in Attendance

Property Acquisition - Ray Levy, Director of Economic  
Development, in Attendance

Appointment: Housing Authority

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**

Dr. Steven Boswell and Elliot Sachs, of Boswell McClave Engineering were present for this portion of the meeting.

**Persistent Construction Change Order - Extension of Federspiel Street**

Mr. Boswell explained that this is a negative change order of \$5,903.50 for as-built quantities for the construction of the extension of Federspiel Street.

A resolution reducing the Persistent Construction Co., contract for \$5,903.50 will be placed on the September 12<sup>th</sup> regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Maintenance of Police Facility**

Ms. Thomas stated that the Borough will be awarding the extension of contract to Oriental Pacific Maintenance Company to clean the police facility.

Mr. Grant added that this item will have to be rebid next year.

**Awarding Bid for Video Camera Surveillance System**

A resolution awarding the video camera surveillance system will be placed on the September 12<sup>th</sup> regular meeting proposed consent agenda.

Ms. Thomas, Mr. Muhlstock and Dominic Calgi, the Borough's representative for the Police Department, will work together to prepare the appropriate resolution.

**Endorsing Community Development Grants for Fort Lee Housing Authority & Friends of Grace Seniors, Inc.**

Resolutions endorsing four (4) Bergen County Community Development grant applications for the Fort Lee Housing Authority and one (1) grant application for the Friends of Grace Seniors, Inc., will be placed on the September 12<sup>th</sup> regular meeting proposed consent agenda.

**Release of Performance Bond for ECS-Fort Lee @ 550 Main Street**

Ms. Thomas stated that the performance bond will not be released at next week's meeting. The Building Department is not satisfied that a wall owned by the Borough that sits along the 550 Main Street property, and which was originally damaged by the developer, has been properly repaired.

A resolution authorizing the release of the performance bond for ECS-Fort Lee for property located at 550 Main Street will be held until compliance has been met by the developer.

**Advertising for Bids for Construction and/or Lease of Monopole at Anderson Point Park**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for the construction of a monopole at the proposed Anderson Point Park will be placed on the September 12<sup>th</sup> regular meeting proposed consent agenda.

**Age Restricted Apartment Residential Zone**

Mayor Alter stated that the Planning Board at their special meeting last night approved a zoning change to include a zone for an age restricted apartment residential zone.

An ordinance amending Chapter 410 to include a R-6A zone for an age restricted apartment residential zone will be placed on the September 12<sup>th</sup> meeting for introduction.

**Areas in Need of Redevelopment as Approved by Planning Board**

Mayor Alter stated that a number of owners are improving their property. Robert Cafasso indicated to him that he has a contract for the steel skeleton building. He added that by continuing with the redevelopment plan, pressure will continue to stay on the property owners to fix up their properties.

A resolution authorizing the Planning Board to go forward with the redevelopment of two locations will be placed on the September 12<sup>th</sup> regular meeting proposed consent agenda.

**Bergen County Cooperative Pricing System**

A resolution authorizing Fort Lee to enter into a cooperative pricing agreement with Bergen County for the period retroactive from July 25, 2002 through July 24, 2007 will be placed on the September 12, 2002 regular meeting proposed consent agenda.

**Miscellaneous Items - Added On**

Messrs. Goldberg and Alter explained details of the vigil of remembrance for the victims of September 11, 2001. The service is set for September 10<sup>th</sup> at 7:30 p.m. at the Lewis F. Cole Middle School field.

Mr. Meyers asked the Mayor and Council if he could place a sign on the 540 Main Street property indicating that this was the original home of Universal Studios. He indicated that it will be good publicity for the 2002 Cliffhanger Fall Festival which is being sponsored by the Fort Lee Film Commission, Universal Studios and the Hudson River Arts Council.

There were no objections to his request.

**PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 12, 2002**

- Ord. #2002-39--Amending Chapter 388, Section 43, No Parking at Horizon Road on West Side of Palisade Avenue to a Point 540 Feet South
- Ord. #2002-40--Amending Chapter 316, Section 1, Public Records - Fees for Copying Borough Documents Maintained on Computer
- Ord. #2002-41--Bond Ordinance for Capital Improvements - \$2,000,000.00

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Goldberg, seconded by Councilman Villano** and approved **unanimously**, the meeting reconvened into closed session at 8:22 p.m.

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

Fort Lee that:

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

Revaluation Contract

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

There being no further discussion the meeting moved back into open session, and the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilwoman Kasofsky**, at 8:27 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, August 22, 2002 @ 3:15 p.m.**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

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2. On January 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: DPW/Parks  
General Services  
Building Maintenance  
Vehicle Maintenance  
Police Department

Contracts: Dennis Oury, Esq.  
Costa Engineering  
Shen, Milsom & Wilke, Inc.  
Dauman Recycling Company, Inc.  
Certified Valuations, Inc.

Litigation: 2011 Lemoine Avenue. Corp. vs. Parking Authority & Fort Lee vs. 2011 Lemoine Avenue Corp.

ShopRite Antenna

Scheduling of Liquor License Hearing for Jabadou Inc.

Woodlawn Cemetery/Coyte Family

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**

**Release of Letter of Credit for V&R Developers**

A resolution releasing a letter of credit for V&R Developers for property located at 235, 237 and 239 Main Street will be placed on tonight's regular meeting proposed consent agenda.

**Emergency Replacement Pump for Bluff Road Pump Station**

A resolution approving an agreement with Rapid Pump & Meter Services Co., Inc., for purchase and installation of one dry-pit submersible pump for the Bluff Road Pump Station at a cost of \$49,400 will be placed on tonight's regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Additional Off Street Parking**

There was no discussion on this matter.

**September 10<sup>th</sup> Memorial Service**

Mayor Alter explained the Borough's plan for a September 10<sup>th</sup> memorial service in honor of those who died on September 11, 2001.

The memorial service will be held at the Lewis F. Cole Middle School Field beginning at 7:30 p.m. There will be religious leaders, Borough officials and other dignitaries at the event.

Mayor Alter added that Council President Goldberg will help coordinate the program and emcee the event.

**Renaming of Street - Bridge Plaza South**

Mayor Alter stated that Port Authority officials have requested that Bridge Plaza South be renamed to Bruce Reynolds Boulevard in honor of former Port Authority police officer Bruce Reynolds who was killed last September 11th.

Mayor Alter added that signs will indicate that the roadway will be called Bridge Plaza South, along with Bruce Reynolds Boulevard.

The governing body agreed to the Port Authority's request.

A resolution authorizing the name change will be placed on tonight's regular meeting for approval.

**United States Conference of Mayors - Community Policing/Disaster Prevention/Emergency Preparedness**

Mayor Alter spoke to the City of Bayamon, Puerto Rico and their emergency road assistance program. It offers vehicle assistance to its citizens all year round.

If traffic is stopped because of breakdowns their city has vehicles waiting to pull cars out of the traffic and to assist them in any other way that they need.

Mr. Goldberg spoke to how the Bronx outsources towing. There is a tow truck waiting on the road with no driver. If there is an accident someone still has to get the driver to the tow truck before they can offer road assistance. The Port Authority had promised a booth so that it could help drivers who needed assistance more quickly. However, it was never done.

**Employment Practices of Municipal Excess Liability Joint Insurance Fund (MEL/JIF)**

Ms. Thomas stated that the MEL/JIF requires that at least one management level employee attend an approved Employment

Practices Loss Control Plans course to keep the Borough's employment liability deduction at the MEL/JIF's minimum rate.

Ms. Thomas and Joseph Iannaconi will be attending the required class on behalf of the Borough.

Ms. Thomas added that the MEL will reduce each member's 2003 premium by \$250 for each municipal elected official who takes the course and completes it by the end of 2002.

**Advertising for Bids for Lease of Municipal Property - Block 3203, Lot 3**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for the lease of municipal property, commonly known as Block 3203, Lot 3, will be placed on tonight's regular meeting proposed consent agenda.

**Amending Chapter 316 - Public Records Fees**

An ordinance amending the Borough's public records fees to establish fees for copying computer records that the Borough maintains in its normal course of business will be placed on tonight's regular meeting for introduction.

**League of Municipalities Convention - 11/19 - 11/22**

Mr. Grant explained that the annual New Jersey League of Municipalities convention will be held in Atlantic City from November 19th through November 22<sup>nd</sup>.

Mr. Grant to handle hotel reservations and registration badges for the Mayor and Council and Borough Administrator.

**Pedestrian Safety - Yielding to Pedestrians in Crosswalks**

Mayor Alter requested that the Borough establish an ordinance that would fine violators who don't yield to pedestrians anywhere in a crosswalk.

Mr. Goldberg stated that yield to pedestrians signs should be placed at crosswalks.

Mr. Muhlstock stated that N.J.S.A. Title 39 can't be preempted by the Borough. The state controls motor vehicle operations. If the Borough adopted an ordinance it's probably not enforceable.

Chief Tessaro should be contacted to discuss the placement of yield to pedestrians signs in crosswalks.

A resolution endorsing Teaneck's resolution requesting legislators to adopt regulations that would force drivers to yield to pedestrians anywhere in a crosswalk will be placed on tonight's regular meeting proposed consent agenda.

**Developers Agreements - Prestige Auto Body & Won Yu Lee**

Resolutions approving developers agreements with Prestige Auto Body at 69 Main Street and Won Yu Lee at 222 Main Street will be placed on tonight's regular meeting proposed consent agenda.

**COAH Certification**

A resolution applying to the State Council on Affordable Housing (COAH) requesting an extension to the Borough's continued substantive certification with regard to low income housing will be placed on tonight's regular meeting proposed consent agenda.

**Liquor License Renewals for Inactive Licenses**

A resolution authorizing the renewal of inactive liquor licenses that have received special rulings from the New Jersey State Division of Alcoholic Beverage Control, will be placed on tonight's regular meeting proposed consent agenda.

**Petition Letter**

Mayor Alter stated that he's in receipt of a petition from Elvira Ennesser, 2177 Jones Road, who is complaining of the iron rail that runs on the east side of Jones Road heading westbound. She feels that the gate is not attractive and should be taken down.

Even though some of the council agreed that the gate is not pretty, they agreed to leave the gate up as it is as it's the only protection mechanism before someone hits the fence on that side of the roadway. If someone did hit the fence with a certain amount of force, without the gate being there they could break the fence and roll down the cliff.

There being no further discussion, the meeting was adjourned  
**on motion by Councilman Cervieri, seconded by Councilwoman Voss,**  
at 3:40 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, July 25, 2002 @ 3:00 p.m.**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky  
Villano, Voss, Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

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2. On January 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Senior Citizen's Department

Litigation: Exxon Mobil Corp. vs. Borough of Fort Lee,  
Board of Adjustment and Construction Code Official

Borough of Fort Lee vs. 2011 Lemoine Avenue Corp.

Atrium Palace Syndicate vs. Borough of Fort Lee, et al.

Fort Lee vs. 1355 Inwood Terrace (AT&T Wireless)

River Ridge vs. Borough and Palisades A/V Company

Contracts: John Curley, Esq.  
HC Co., Inc.  
Certified Valuations, Inc.

Public Officials and Employment Practice Liability  
Insurance

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**

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

#### **Euclid Road Reconstruction Cost Estimate**

Ms. Thomas stated that Luppino Construction is building a house at Manatauck Avenue and Claremont Road. She added that Euclid Road needs to be reconstructed. It's a more complicated job than just repaving the roadway.

Mr. McGrath indicated that construction costs to reconstruct the road would be approximately \$35,000. Boswell's cost for design would be \$3,500 and inspection oversight work would cost \$3,500.

A resolution awarding a contract to Boswell McClave Engineering to prepare design specifications and to perform construction oversight work for Euclid Road at a cost not to exceed \$7,000 will be placed on tonight's regular meeting proposed consent agenda.

#### **Edsall Boulevard Relocation - Boundary and Topographic Survey**

A resolution awarding contract to Boswell McClave to prepare a boundary and topographic survey at a cost not to exceed \$14,000 and for the design of the abandoned portion of Edsall Boulevard in anticipation of its relocation at a fee not to exceed \$15,500 will be placed on the regular meeting proposed consent agenda.

Mr. McGrath added that part of the design cost of the project includes preparing the utilities of the abandoned portion of the roadway to be relocated.

Mr. Cervieri requested underground conduits be looked into for this project. It would make the roadway and Fort Lee look more attractive.

**Awarding Bid for 2002 Road Improvement Program**

Mr. McGrath explained that there is only \$175,000 being funded for the Borough's road improvement program. The base bid of the low bidder was \$156,000. There is not enough money to award the alternate (a) and/or alternate (b) bid.

It was agreed that a resolution awarding the base bid to A.J.M. Contractors for the 2002 roadway improvement program at a cost of \$156,000 will be placed on tonight's regular meeting proposed consent agenda.

**Fresh Creek Netting TrashTrap Floatables - Extension of Contract**

Mr. Grant explained that due to rainfall that occurred approximately two months ago, the Borough's present contract with Fresh Creek Technologies will soon be depleted.

A resolution amending Fresh Creek Technologies contract so as to maintain the netting trap collection system located at the Bluff Road Pump Station at a cost of \$825.00 per change out (no more than fifteen anticipated change outs for the remainder of the year) plus \$90.00 per heavy duty-net as needed will be placed on tonight's regular meeting proposed consent agenda.

Mr. Cervieri inquired if the catch basins the Borough uses in its sewers could be designed more efficiently.

Mr. McGrath explained to the Mayor and Council the different types of catch basin designs that could be used.

**Palisade & Columbia Avenue Signalization - Kensington Drive**

The Mayor and Council concurred that the current signalization at Palisade Avenue and Columbia Avenue should continue as is.

Ms. Thomas to speak to Mr. Sachs about new signalization that would allow northbound and/or southbound traffic to turn

from Palisade Avenue into Kensington Drive southbound and Columbia Avenue northbound.

Mr. Grant speaking on behalf of Councilman Goldberg stated that Bergen County should contact Kensington representatives before they do any construction as the Kensington complex plans on making some changes to their gatehouse at the foot of Palisade Avenue.

**NJEIT 2002 Financing Program - Required Resolutions**

Two resolutions determining the form and details of \$7,187,250 in general obligation bonds and authorizing execution of loan agreement with the NJEIT will be on the July 25<sup>th</sup> regular meeting agenda.

**Getty Service Station @ 1490 Bergen Boulevard - Treatment Works Approval Application**

It was agreed that the Bergen County Utilities Authority should endorse a resolution first before the governing body consents to the Getty Service Station treatment works application and resolution that they requested.

**New Jersey State Road Construction Off 9W (Added on Item)**

Ms. Thomas stated that the New Jersey State road construction can't be done in the middle of the night because of the number of residential units that would be disturbed. She asked Mr. McGrath to relay this information to Elliot Sachs so that he can inform the State that the Borough does not want to go along with their recommendations.

**GENERAL DISCUSSION**

**Capital Budget**

Ms. Thomas stated that the approximately \$1,900,000 Capital Budget ordinance will be introduced at the August 22<sup>nd</sup> regular meeting.

**Recycling/Garbage Pick Up Mediterranean South**

Mayor Alter stated that Mediterranean South has been told that they are not recycling legally. Mr. Muhlstock to write them

a letter requesting that they adhere to the Borough's recycling laws.

**Domestic Violence Committee State Grant**

Mayor Alter stated that Susan Bass Levin, NJ State Director of Community Affairs, recently notified the Borough that it will be receiving a \$67.00 grant award for its Domestic Violence Training Program.

**Emergency Management Obsolete Fire Vehicle**

A resolution authorizing the Borough to donate an obsolete fire vehicle to the Bardwell, Kentucky Fire Department, will be placed on tonight's regular meeting proposed consent agenda.

**Cleanliness of Main Street**

Mayor Alter stated that garbage is being left overnight in bags and that people are constantly calling and complaining about the general cleanliness of the Main Street area. He would like to see the Health Department issue summonses to the merchants who are leaving their storefronts with debris.

Ms. Voss stated that the Beautification Committee is upset with what is happening on Main Street.

Mr. Villano added that cleanliness has improved a little the last two or three weeks.

Mayor Alter asked Mr. Cervieri to check with the Greater Fort Lee Chamber of Commerce about garbage bins for the merchants.

**540 Main Street Facility - General Clean-Up**

Mr. Meyers stated that because no decision has yet been made with what to do at 540 Main Street, he would like to see General Services clean the inside up. There is money to be made for allowing film companies to do movie or music shoots inside the facility until a decision is made as to what to permanently do. He doesn't want to see the building knocked down. It's listed in the Bergen County Site of Historic Structures.

Mr. Cervieri stated that there are no sprinklers in the building.

Mayor Alter would like to see the building knocked down, but until a final decision is made, he agrees that the inside of the building should be cleaned up.

**R-3 Two-Family Increase in Minimum Lot Area from 5,000 Square Feet to 6,000 Square Feet**

Mr. Meyers requested that the zoning standard of R-3A two-family zone units should be changed so that it matches up with either the R-3 or R-4 zone for two-family dwellings. This would increase the minimum lot area from 5,000 to 6,000 square feet.

Mayor Alter agreed that there should be a different lot size for two-family units in the R-3A zone.

Mayor Alter added that the R-3A zone should be eliminated and included as part of the R-4 zone which has the stricter standard for minimum lot area in the two-family zone.

Mr. Muhlstock to prepare the appropriate ordinance for introduction at the August 22<sup>nd</sup> regular meeting.

Mr. Grant to notify Carolyn Kristal, Planning Board Attorney, of the Mayor and Council's decision to amend the zoning ordinance.

**Disabled Veteran's Tax Exemption for 2002**

A resolution authorizing a complete tax exemption for Jack Masucci will be placed on tonight's regular meeting consent agenda.

**Abandonment of Limited Retail Distribution Liquor License**

Mr. Grant explained that Angelo Nigro, owner of Fastop Inc., has requested abandonment of his liquor license. Mr. Grant added that his license is a warm beer license that is basically valueless.

The Mayor and Council had no objection to the abandonment of Mr. Nigro's license.

A resolution authorizing the abandonment of his license will be placed on tonight's regular meeting proposed consent agenda.

**Liquor License Transfer - Sunwoo Corp., to Joe & Max, Inc., t/a Donatello Ristorante**

Mr. Grant explained that the Police Department has not completed its background investigation with regard to transfer of the license.

This item will be brought back for further discussion at the August 22<sup>nd</sup> executive session.

**Executive Order No. 21 - (OPRA)- Certain Personnel Records Not to be Disclosed to the Public**

Mr. Muhlstock explained that Governor McGreevey's Executive Order just added a little refinement to the new current Open Records Public Act.

Mr. Grant to copy Executive Order #21 to the Mayor and Council.

**Amending Fee Schedule for Public Records**

Mr. Grant explained that the public record fee ordinance has to be amended to reflect the cost of copying computer diskettes and/or like computer materials for the public who have requested records in that format.

Messrs. Grant and Muhlstock to work on a new ordinance and to distribute a copy to the Mayor and Council before it's introduced at the August 22<sup>nd</sup> regular meeting.

**Developers Agreements for Won Yu Lee @ 222 Main Street and Kyu Sung Wang @ 1033 Palisade Avenue**

Mr. Meyers stated that the 222 Main Street property would have been a perfect spot for a restaurant. It was another missed opportunity for Main Street.

Mr. Villano added that the Borough keeps losing the battle along Main Street. He expressed a lack of confidence with the Master Plan Committee.

Ms. Thomas stated that James Virgona, architect, has to give the Borough some suggestions as to how Main Street should look.

A resolution approving the developer's agreements for 1033 Palisade Avenue will be placed on the July 25<sup>th</sup> regular meeting proposed consent agenda.

Mr. Muhlstock requested to review the 222 Main Street developer's agreement before tonight's regular meeting to determine if the governing body should approve it. Certain legal issues might need to be addressed before final approval.

**Local Law Enforcement Block Grant for 2002/2003**

A resolution endorsing an \$18,000 grant reimbursement for the Police Department from the New Jersey Division of Highway Traffic Safety will be placed on tonight's regular meeting consent agenda.

**Bergen County Open Space Trust Fund Application**

A resolution endorsing an Open Space grant application for Anderson Point Park for \$40,000 will be placed on tonight's regular meeting consent agenda.

**Discussion of Master Plan Reexamination Ordinance**

There was no discussion on this item today.

**Amending Sign Ordinance**

Mayor Alter stated that this ordinance will be supplemental to the current ordinance. It's not totally displacing the existing ordinance.

Mr. Muhlstock asked which entity is going to hire the enforcement agent.

Mayor Alter added that the Parking Authority could hire a code official to enforce the sign ordinance.

Mr. Muhlstock stated that Ray Levy, Director of Economic Development, and Steve Monetti, Parking Authority Executive Director, have indicated to him that no one in the Borough is consistently enforcing the sign ordinance because of the many duties the building code officials have. They are making the enforcement of the sign ordinance a low priority. They asked him if the Parking Authority could enforce sign ordinance.

Mr. Muhlstock responded that the Parking Authority under its existing bylaws could not perform that duty. He informed him that a shared services agreement could possibly be done, which would give the Parking Authority limited jurisdiction to enforce the sign ordinance, if they hire an enforcement officer. The

logistics of the shared service agreement would have to be further discussed

Mr. Cervieri indicated that another person could be hired for the Building Department to enforce the sign ordinance.

Mr. Muhlstock said that Mr. Levy represented to him that if the Building Department hired another person, that person would get caught up in other duties.

Mr. Muhlstock felt that the ordinance should be introduced. Amendments could always be done at a later time. Paul Phillips, Borough Planner, did a nice job in compiling the ordinance.

Mr. Meyers inquired as to why the ordinance is being rushed through.

**Awarding Bid for Various Construction Materials**

Mr. Grant explained that this was the rebid for various construction materials for the improvement of the Main Street Municipal Parking Lot. He added that this is an open-ended contract for two years for just the various materials.

A resolution awarding bid to Tilcon New York and Jewel Electric Supply Company will be placed on tonight's regular meeting.

**Handicapped Parking Space in Front of 2051 Edwin Ave.**

An ordinance to place a handicapped parking space in front of 2051 Edwin Avenue will be introduced at tonight's regular meeting.

**PUBLIC HEARINGS SCHEDULED FOR JULY 25, 2002**

Ord. #2002-30--Amending Chapter 261, Section 50.E  
"Land Use Procedures" - Affordable Housing Development  
Fees

Ord. #2002-31--Establishing Chapter 156 - Tree Removal  
and Replacement

Ord. #2002-32--Amending Chapters 345 and 365 - "Site  
Plan Review" and "Subdivision of Land" With Regard to  
Chapter 156 "Tree Removal and Replacement"  
Applications

The Planning Board had voted to make an amendment where the property owner could take one tree down every five years at their election.

Discussion ensued about the standards of the ordinance and the Planning Board's recommendation.

It was finally agreed that the ordinance should be adopted as it was at introduction. Any amendments could be offered at a later date.

Ord. #2003-33--Amending Salary Ordinance 99-24 -  
Providing Salaries for Police Officers for 2003-2006

Ord. #2002-34--Bond Ordinance for Improvements to Main  
Street Municipal Parking Lot - \$450,000

Ord. #2002-35--Bond Ordinance for Improvements to  
Various Streets (Streetscape Phase II) - \$1,175,000

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss** and approved **unanimously**, the meeting moved back 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:

Contract: Certified Valuations, Inc.

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 was adjourned **on motion by Councilman Cervieri, seconded by Councilman Meyers Voss**, at 4:32 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, June 20, 2002 @ 8:40 p.m.**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Building Department  
DPW  
General Services  
Police Department  
Radio Communications Department  
Senior Citizens  
Tax Assessor's Office  
Tax Collector's Office  
Emergency Management

Contracts: Department Heads  
H.C. Company Inc.

Revaluation Problems

Single or Two-Family Home Development Fees

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**

**Advertise for Bids for 2002 Roadway Improvement Project**

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the 2002 roadway improvement project will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**Awarding Contract for Engineering for Streetscape II**

Ms. Thomas stated that Costa Engineering Corporation has submitted a proposal to do the engineering work on the Borough's Streetscape Project II at 6% of the total cost of the construction bid which is \$991,708.

A resolution awarding a contact to Costa will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**Bonding for Streetscape Project - Phase II**

After a short discussion, it was concluded that a bond for approximately \$1,200,000 would be needed to fund the streetscape project. This would include the construction, engineering and legal costs of the project. The Borough has already received acknowledgment of a \$250,000 state grant for the project. Once that money is received it will go directly to the cost of the improvement or to payment of the obligation issued pursuant to the bond ordinance.

A bond ordinance will be prepared by the Borough's bond counsel for introduction at the June 27<sup>th</sup> regular meeting.

**Bid Review of Streetscape Project - Phase II**

A resolution awarding bid to Bagnato & Sons, Inc., Fairview, New Jersey, for the construction portion of the Borough's streetscape project at a cost of \$991,708.50 will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**Awarding Contract for Engineering for Main Street Municipal Lot**

Ms. Thomas stated that the Costa Engineering Corporation has submitted a proposal to do the engineering work for the Parking Authority for improvements to the Main Street Municipal Parking Lot at 6% of the total anticipated cost of the project which is approximately \$450,000.

**Bonding for Improvements to Main Street Municipal Lot**

It was agreed that a bond ordinance for \$450,000 will be needed for this project. This will cover the legal, engineering and expected construction costs of the project. The Borough has already received acknowledgment that it will be getting a \$100,000 Bergen County Community Development grant for the project. Once that money is received it will go directly to the cost of the improvement or to payment of the obligation issued pursuant to the bond ordinance.

A bond ordinance will be prepared by the Borough's bond counsel for introduction at the June 27<sup>th</sup> regular meeting.

**Euclid Road**

Russ Luppino, developer, is building a home on Euclid Road. The roadway in front of it is listed as a public road on the Borough's tax maps. Mr. Luppino has requested that the roadway be repaved by the town.

Mr. Cervieri stated that the roadway has not been paved in approximately thirty years. He suggested that the Borough just do the paving of the roadway but not do any curb work.

Ms. Thomas replied that she will have the engineer look into the situation of that roadway.

**DOT Roadway Repair Fletcher Avenue (9W) Northbound and Southbound**

Ms. Thomas stated that the state is requesting that the

Borough waive its noise ordinance with regard to repaving of the state roadway on Route 9W northbound and southbound. The repaving encompasses a little less than a mile.

Mr. Cervieri asked that the paving work that encroaches on the residential property next to the Linwood complex be done earlier in the evening.

**Hudson Terrace (Added On Item)**

Mr. Meyers spoke to truck traffic blocking Hudson Terrace. The paving company went to the wrong end of Hudson Terrace.

Mayor Alter stated that if the police knew about this situation, it's their fault.

Mr. Meyers stated that he would like to know in advance of street closings and issues that concern the town's well-being. He doesn't want to find out after something has already gone wrong.

Mr. Cervieri replied that the Police Department's new radio station should help alleviate this kind of problem in the future.

Mr. Meyers stated that Coytesville is out on its own, even though the police chief lives there. He opined that there is not enough police coverage in the Coytesville section. He wants to see something in writing from the Police Department in advance of road improvements and/or temporary closings of the Borough's streets.

Mayor Alter replied that there are no wards in Fort Lee. He expressed his own concerns that he and the governing body are not getting enough advance police notification with regard to road improvements and/or temporary closings.

**GENERAL DISCUSSION**

**Review of 540 Main Street Facility**

Ms. Thomas stated that Jim Case, Ronald Schmidt & Associates representative, indicated to her that there is 14,500 square feet of usable space in the building.

Mr. Villano indicated that the Borough departments looking to move their offices into the building need 23,000 square feet of space. Decisions have to be made to best allocate the site.

Mr. Cervieri added that the Mayor's committee needs to reconvene to discuss the site.

Mr. Villano would like to see proposals or bids to see how much the building would cost to be renovated.

Mayor Alter feels that the building should be knocked down with a new facility built.

Mr. Meyers disagreed with the Mayor. He feels that there is too much history in the building for it to be knocked down. He also asked that a small amount of space be allocated for the Film Commission.

A brief discussion ensued about how unsightly the building looks in its current condition.

Mr. Cervieri stated that there are companies that will put a face (blanket) on the building, to make it look better until the Borough makes a permanent decision on what to do with the property.

#### **Acceptance of 2001 Annual Audit**

A resolution authorizing the acceptance of the 2001 annual audit will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

#### **Rent Leveling - MAP**

There was no discussion on this matter tonight.

#### **Cleanliness of Main Street and Coytesville Business Districts**

Ms. Thomas stated that the Borough put a lot of money into the Main Street streetscaping, and a lot of businesses are not doing their part.

Mr. Cervieri said that the Greater Fort Lee Chamber of Commerce will help underwrite the cost of keeping Main Street and other business areas clean by purchasing a machine that will help clean the sidewalks.

Mr. Monetti, Parking Authority Executive Director, explained what's happening with the cleaning sweeper.

Ms. Voss asked that in the next Borough newsletter that

street cleaning be mentioned and that store owners be alerted to the fact that they must keep their storefronts clean.

Mayor Alter asked Ms. Thomas to instruct Steve Wielkocz, Health Inspector, to have his employees be more vigilant about having store owners keeping their properties clean of debris.

Mr. Muhlstock also is just waiting for locations from the Parking Authority that will identify where newspaper vending machines can be located.

**Architectural Review Committee (Added On Item)**

Mr. Meyers stated that James Virgona, architect, met with Mayor Alter's council representatives with regard to getting an architectural review committee established for Main Street.

Ms. Thomas stated that Mr. Virgona is working with the overlay of the Borough's Master Plan. Presently, criteria are lacking, but he's looking at that. He's trying to keep with the streetscape theme. He wants to give incentive for some houses to be built on Main Street. There are a variety of options to be looked at; however, he's not trying to replicate a colonial village.

Mr. Muhlstock explained that an architectural review committee gets more specific with regard to how front facades look as opposed to the bulk of the building.

Mr. Meyers stated that this all hooks into economic development for the Borough. He's looking for some solid anchor stores to be on Main Street that could help revitalize all of Main Street.

**Fort Lee Volunteer Ambulance Corp**

Mr. Cervieri stated that he had concerns that the Volunteer Ambulance Corps annual fund drive could be misleading the public as to whether they are truly a volunteer organization. Residents are getting billed for being taken to hospitals.

Ms. Thomas stated that the daytime Emergency Medical Technicians do get paid. Holy Name Hospital is billing residents, not the ambulance corps. Any money received is paid through insurance and does not go back to the ambulance corps.

Mr. Villano added that more than 50% of the ambulance corps members are volunteers.

Mayor Alter stated that the ambulance corps members have the same situation as the Fire Department.

Mr. Cervieri wants the reimbursement situation to be looked into. He also inquired to what the cost of a paid ambulance corps would be.

Mayor Alter stated that the ambulance corps doesn't want to change from a volunteer to a paid group.

Mr. Cervieri added that Cliffside Park is also interested if the status of the ambulance corps is changed from a volunteer to a paid service.

Mr. Goldberg explained that nothing can be done unless the ambulance corps moves from being a volunteer group to a paid group.

Mayor Alter asked that Ms. Kasofsky, council liaison, speak to Ms. Thomas and look at all the possible ramifications.

Mr. Goldberg also to brief Ms. Kasofsky with all the information that he had previously received about changing the ambulance corps status and insurance reimbursement.

**Release of Performance Bond for Redco Development Corp. at 2184 Edwin Avenue**

Mr. Cervieri asked why this is being done by resolution.

Mr. Muhlstock explained that some other towns already release performance bonds by resolution. A case that his partner was involved in became an issue in court. With some things being overlooked in the past, this will help in making sure that official documents that need to be released are being reviewed by the Borough Attorney and approved for release by the governing body.

A resolution releasing the performance bond for Redco Development Corp. at 2184 Edwin Avenue and replacing it with a maintenance bond will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**Tree Ordinance**

Mayor Alter stated that he asked the maker of the proposed ordinance that there be no free tree takedowns for anyone taking a tree down.

An ordinance written by Paul Phillips, the Borough's professional planning consultant, establishing tree removal and replacement will be introduced at the June 27<sup>th</sup> regular meeting.

**Public Records Request Form**

A resolution approving a new public records request form to comply with the new public records law that takes effect on July 7<sup>th</sup> will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**Disabled Veteran's Exemption**

This item to be reviewed for further discussion at the July 25<sup>th</sup> executive session.

**Approving Developer's Agreement for Commerce Bank**

A resolution approving a developer's agreement with Commerce Bank/North located at 1400 Palisade Avenue will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

**2002 Liquor License Renewals**

Mr. Grant added that no licensee can be renewed without New Jersey Division of Taxation tax clearance. If a licensee does not have tax clearance the licensee may seek ad interim permit relief from the Division of Alcoholic Beverage Control to keep their establishment open after July 1<sup>st</sup>. The governing body then may act on the renewal of their license at the July 25<sup>th</sup> regular meeting.

A resolution renewing the Borough's liquor licenses for all licensees who have paid the required licensing fees and who have obtained tax clearance will be placed on the proposed consent agenda for the June 27<sup>th</sup> regular meeting.

Two separate resolutions will be placed on the agenda imposing special conditions on the liquor licenses of Jabadou Inc., and Mac-On, Inc.

**Liquor License Transfers - Hiram's Inc. to Stuni Inc. and JNJ International Inc., to Saerom Inc.**

A resolution approving person to person liquor license transfer from Hiram's Inc., to Stuni Inc., t/a Hiram's Roadstand

at 1345 Palisade Avenue will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda.

A resolution approving person to person liquor license transfer from JNJ International Inc., to Saerom Inc., t/a Dae Bak Restaurant at 246 Main Street will be placed on the June 27<sup>th</sup> regular meeting proposed consent agenda if tax clearance for transfer has been received by the June 27<sup>th</sup> meeting date.

**Fireworks Display**

Mayor Alter stated that it's very important to get to work with all the people involved in the fireworks display immediately so that the event can run smoothly and that the public be notified as to what's specifically happening on July 4<sup>th</sup>.

He added that a notice should be sent out to the Borough's population signifying the arrangements for the event.

Ms. Thomas replied that she has meetings scheduled with all of the people involved so as to coordinate the event properly.

Mr. Meyers added that the Fort Lee Film Commission has already done a flier explaining the events of July 3<sup>rd</sup> and July 4<sup>th</sup>.

**PUBLIC HEARINGS SCHEDULED FOR JUNE 27, 2002**

- Ord. #2002-25--Bond Ordinance for Phase I of the Combined Stormwater and Sanitary Sewer Separation Project - \$7,187,250
- Ord. #2002-26--Amending Chapter 261, Section 21, "Land Use Procedures" - Expiration of Variance
- Ord. #2002-27--Amending Chapter 324, Section 2.D and Title of Article IX - "Rent Control" Technical Amendments
- Ord. #2002-28--Approving Drug Free Zone Map Within 1000 Feet of School Zones and Public Facilities Drug Free Zone Map Within 500 Feet of any Public Housing, Public Park or Public Building
- Ord. #2002-29--Amending Chapter 388, Sections 14 and 69 Addition of Handicapped Parking Space at 217 Riverdale Drive

**Added On Items**

Jonathon Kim, Board of Adjustment member, has requested that banners be put up for recognition of the United States and the South Korean soccer teams' success in the ongoing World Cup matches.

Mr. Cervieri spoke to the Port Authority's survey with regard to ferry service that was recently sent to residents of Fort Lee and Edgewater.

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** at 9:50 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, June 6, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Cervieri

ABSENT: Councilwoman Voss

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Goldberg, 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: Various Summer Seasonal Employees  
School Crossing Guards  
Police Department - Chief Tessaro in  
Attendance  
Salary Review Procedure

Contracts: Derek Alger  
Police Department 2003-2006  
HC Company Inc.

Contracts: Certified Valuations, Inc.

Authorization to Place Special Conditions on Certain  
Liquor Licenses

Liquor License Police Report - Lounge 2028

Property Acquisition

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

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

**ENGINEERING DISCUSSION**

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

**Proposal for Soil Borings at Anderson Point Park**

Ms. Thomas stated that Dean Marchetto, Architect, has submitted a proposal from Johnson Soils Engineering Company, Ridgefield, New Jersey to do twelve test borings for Anderson Point Park. The estimated cost for the project is \$13,690.00

Mr. Muhlstock to prepare a resolution awarding contract to Johnson Soils Engineering for the June 13th regular meeting.

**Bond Ordinance for Streetscape II - \$1,300,000**

Ms. Thomas stated that the funding mechanism to pay for the streetscaping needs to be initiated. An ordinance will be prepared for introduction for the June 13th or June 27th regular meeting.

**Drug-Free Zone Map & Public Facilities Drug-Free Zone Map**

An ordinance identifying drug-free zones within 1000 feet of schools and 500 feet from public facilities as prepared by Boswell McClave and approved by the Police Department will be introduced at the June 6th regular meeting.

**Survey of Federspiel Street and Old Palisade Road (Added On Item)**

Mr. Cervieri asked when the survey of Federspiel Street and Old Palisade Road is expected to be completed.

Mayor Alter indicated that a title search will have to be done at some point in time. He inquired as to who's handling the acquisition of the land.

Mr. Boswell replied that the title search is just about completed. A map needs to be in place before a decision regarding the acquisition of the land can be made.

**GENERAL DISCUSSION**

**Bergen County Community Development Program and Appointments**

A resolution renewing Fort Lee's continuing participation in the Bergen County Community Development Block Grant Program as administered by Bergen County for July 1, 2003 - June 30, 2006 will be placed on the June 13th regular meeting proposed consent agenda.

Mayor Alter will reappoint Julia Ticola as the Mayor's representative to the Bergen County Community Development Committee and the governing body will reappoint James Viola as its representative to the same committee by resolution at the June 13th regular meeting.

Mr. Grant will be reappointed by the governing body to the Bergen County Open Space Recreation, Farmland and Historic Preservation Trust Fund at the June 13<sup>th</sup> regular meeting.

**Proposal for Advertising and Replacement of Certain Bus Shelters**

Mayor Alter stated that previous governing bodies were against advertising being placed at bus shelters. He believes that any extra advertising is offensive and cheapens the look of the town. For years the Borough has tried to eliminate billboard advertising.

Mr. Cervieri said that if advertising is being contemplated, it should be done through the bid process. Bus shelters with advertising would also have the ability to advertise community events which would be an added benefit for the town.

Ms. Thomas stated that the advertising signs that she has seen in other towns look good.

Mr. Meyers stated that he's not totally sure of the idea, but is leaning towards letting advertising in. He also spoke to the placement of newspaper vending machines.

Mr. Muhlstock stated that he has an ordinance drafted. He's waiting for the Parking Authority to get back with locations. The placement of newspaper vending machines would only be allowed in commercial zones.

This item to be placed back on for further discussion at the next work session.

**Awarding Bid for Parking Gates Control System**

Mayor Alter explained that two gates will be put into use. Borough employees will receive identification cards so that they can bypass the gates.

Ms. Thomas added that one gate will be by the pre-school by Guntzer Street. Emergency vehicles will have a siren that would automatically open the gate.

Mayor Alter asked to see a picture of the type of gate that is going to be used before next week's regular meeting.

A resolution awarding bid to CTR Systems, Warrendale Pennsylvania, for a parking gate control system to be used at Borough Hall at a cost of \$15,998 will be placed on the June 13th regular meeting proposed consent agenda.

**Approving Developer's Agreements for 2134 North Central Road, 1214 Anderson Avenue, 1136 Cumbermeade Road and 1400 Palisade Avenue**

Resolutions approving developer's agreements for Jonsugi Inc., at 2134 North Central Road, DRC Realty at 1214 Anderson Avenue, Luppino Homes at 1136 Cumbermeade Road and Commerce Bank/North at 1400 Palisade Avenue, as prepared by the Borough Attorney will be placed on the June 13th regular meeting proposed consent agenda.

Mayor Alter stated that the residents of 1450 Palisade Avenue never received an official notice with regard to the hearing about Commerce Bank. In fairness to them, Commerce Bank will meet with the residents of that complex to explain to them

what they are building. The developer's agreement for Commerce Bank should not be executed until there is an agreement. He requested that the Commerce Bank agreement should not be included on next week's regular meeting agenda.

**Saint Rocco Feast - August 7th - 11th**

Mr. Cervieri believes that the St. Rocco Feast should be held at Constitution Park.

A resolution approving the St. Rocco's Italian American Mutual Aid Society festival for August 7th through August 11th on Martha Washington Way will be on the June 13th regular meeting proposed consent agenda.

Mr. Cervieri indicated that he would not object to the feast being held on Martha Washington Way.

**Architectural Review Committee/Bulk Requirements**

Mr. Meyers stated that he's still trying to form an architectural review committee, specifically, at this time for the Main Street Commercial District.

Mayor Alter formed a committee of Mr. Meyers, Mr. Villano, Ms. Kasofsky and Ms. Thomas. They will speak to James Virgona, architect, who helped put together the Borough's amended bulk requirements ordinance at the end of 2000.

**Trucks on Martha Washington Way**

Mr. Meyers stated that tractor-trailers are now driving on Martha Washington Way and using the tollbooths that were designated for Fort Lee residents.

Mayor Alter stated that truck inspections are not to be done at the designated Fort Lee booths if there is any traffic on Martha Washington Way.

Mr. Meyers added that the truck drivers are trying everything to circumvent traffic.

Mayor Alter asked Ms. Thomas to get a written report from the Police Department with regard to the use of tractor-trailers and large trucks on Martha Washington Way.

**Northern New Jersey Council Boy Scouts of America**

Mayor Alter stated that the Northern New Jersey Council Boy Scouts of America are asking directly for a \$500.00 contribution.

Mr. Cervieri added that the Boy Scouts of America have numerous affluent real estate companies, and that they are a tax exempt organization.

The governing body rejected the Boy Scouts of America's request for a \$500.00 donation.

**Handicapped Parking Space Near 217 Riverdale Drive**

An ordinance establishing a handicapped parking space beginning at the point of 220 feet west of the northwest curb apex of Riverdale Drive and Palisade Avenue and continuing 25 feet west of the same point located in front of 217 Riverdale Drive as requested by the resident of 217 Riverdale Drive and approved by the Police Department will be placed on the June 13th regular meeting for introduction.

**PUBLIC HEARINGS SCHEDULED FOR JUNE 13, 2002**

Ord. #2002-22--Amending Salary Ordinances #1999-23, 2001-41 and 2001-17 and Establishing Salaries for the Borough Clerk, CFO, Tax Collector/Treasurer, Tax Assessor and Borough Administrator

Messrs. Cervieri and Goldberg concurred that this ordinance should remain tabled. They both indicated that the ordinance can be revisited in the future.

Ord. #2002-24--Amending Chapter 345, Section 22, "Site Plan Review" - Replacement of Trees in One-Family and Two-Family Owner Occupied Residential Parcels **(To Be Postponed)**

Mr. Muhlstock stated that this is a simple ordinance. It can be amended at a later time by recommendation of the Planning Board or by the Mayor and Council.

Mr. Meyers added that this is a barebones ordinance. It's just trying to get something established on the books.

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Villano, seconded by Councilman Goldberg** and approved **unanimously**, the meeting moved back into closed session at 8:55 p.m.

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

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

Litigation: 2011 Lemoine Avenue vs. Parking Authority

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 was adjourned **on motion by Councilman Villano, seconded by Councilman Cervieri**, at 9:05 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, May 16, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Villano,  
Voss, Cervieri

ABSENT: Council Members Kasofsky, Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Borough Clerk (Summer Seasonal)  
DPW  
Police Department  
Police Department (Summer Seasonal)

Contracts: Michael Condosta, CPA - Police Department  
Grant and Forfeiture Revenues

Renewal of Liquor Licenses - Special Conditions on  
Certain Licensees

Fort Lee Revaluation

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**

**DOT Fletcher Avenue Roadway Improvements**

Mayor Alter stated that he spoke to James Fox, New Jersey Department of Transportation (DOT) Commissioner. The vacation or non-vacation of Lee street triggered his call.

Ms. Thomas presented the governing body with the DOT's conceptual plan.

Mayor Alter said that the previous New Jersey State administration walked away from improvements to Fletcher Avenue over a year ago. They said that they had better places to spend the state's money. The DOT's attitude is now much better for the town due to a new state administration. The conceptual plan calls for an added lane and for right turns only to be made from Fletcher Avenue traveling southbound. A Jersey barrier will be put up to make sure only right turns can be made. Also, the traffic signalization at Kelby Street would be improved. The total future plan calls for \$60,000,000 to \$70,000,000 to be spent; however, this will not be done at this time because of the state's budget problems.

Mayor Alter added that the DOT wants an endorsing resolution from the Borough endorsing their conceptual plan. The DOT will prepare a final set of plans for the project.

Mayor Alter said there is still a possibility of a lawsuit by the Borough with regard to the property that the New Jersey Turnpike Authority sold back to Midwood Management.

Mr. Muhlstock stated that the question remains did the Turnpike Authority have the right to sell property without offering the Borough the right of first refusal. He wrote to a Turnpike Authority staff attorney asking about the sale they made to Midwood Management in 1996.

Mr. Meyers expressed concerns that nothing prohibits the owner of the property to go ahead and develop the property at this time.

Mr. Cervieri stated that the owner of the property is building at their own risk. If the DOT plans come to fruition, the ingress and egress of Midwood's development would be greatly affected.

Mr. Muhlstock explained that the developer would have to receive an amendment to their preliminary site plan if the DOT does the Fletcher Avenue roadway improvements.

Mayor Alter added that the developer only has preliminary site plan approval.

It was agreed that a resolution authorizing the Mayor and Council's endorsement of the improvements to Fletcher Avenue/Route 9W @ I-95 will be placed on the May 23<sup>rd</sup> regular meeting proposed consent agenda.

**Grant Endorsement for Roadway Improvements to Cumbermeade Road**

A resolution endorsing the submission of the Cumbermeade Road grant application to the New Jersey Department of Transportation will be placed on the May 23<sup>rd</sup> regular meeting proposed consent agenda.

**Soil Borings at Former ShopRite Property**

Ms. Thomas had asked Elliot Sacks, Boswell McClave Engineering, to speak to Dean Marchetto, Anderson Point Park architect. Mr. Marchetto indicated that there should be borings done at other points around the site besides the ones that Boswell had originally indicated. Mr. Marchetto to handle the soil borings and their testing from this point forward. He will report his findings to the Mayor and Council as soon as the testing results have been completed.

**GENERAL DISCUSSION**

**Sports Leagues Budget**

Ms. Thomas stated that no matter how the money is divided it cannot go over the allocated budget amount of \$60,000.

Mr. Cervieri stated that there should be parity between the boys' and girls' activities of the same sport. He felt that the figures that he has proposed for the leagues is very fair.

Mr. Villano, Council Liaison for the Recreation Department, basically concurred with Mr. Cervieri's figures.

The following figures represent the budgets for the various sports leagues for 2002 that the governing body has agreed to.

Fort Lee Junior Girls Basketball League	\$5,800
Fort Lee Junior Basketball League	3,000
Fort Lee Babe Ruth League	2,500
Fort Lee Babe Ruth (Traveling League)	1,000
Fort Lee Connie Mack League	2,500
Fort Lee National Little League	6,100
Fort Lee Girls Softball League	7,000
Fort Lee Co-ondo Softball League	750
Fort Lee Men's Softball League	1,050
Fort Lee American Little League	5,500
Fort Lee Junior Bridgemen Football League	10,500
Fort Lee Soccer League (All Seasons)	<u>10,600</u>
<b>Total:</b>	<b>56,300</b>

Mayor Alter disagreed with how the money is being allocated, but he will go along with the governing body.

**Bond Ordinance for Phase I Combined Stormwater and Sanitary Sewer Separation**

A bond ordinance for \$7,187,250 for the combined stormwater and sanitary sewer separation project, phase I, will be introduced at the May 23<sup>rd</sup> regular meeting.

**Local Finance Board Application for Waiver of Down Payment (NJEIT)**

A resolution requesting a waiver of the normal 5% down payment in relation to the bond ordinance for the combined stormwater and sanitary sewer separation project will be placed on the May 23<sup>rd</sup> regular meeting.

**Amending Bond Ordinance #2000-36**

Ms. Thomas indicated that there is a surplus of money in the original streetscaping bond ordinance.

The governing body agreed based on recommendations of the Parking Authority Executive Director and Chief Financial Officer that the surplus of money left in the original ordinance should

be reappropriated to include streetscaping phase II, and improvements to the municipal parking lots.

**East/West Agreement - Commencement Date for Affordable Housing Unit**

Mr. Muhlstock explained that he spoke to the developer of the East/West project, and the developer agreed to set a commencement date for the affordable housing units to be constructed. The date of commencement will be realized June 15<sup>th</sup> or the later of ninety days by September 2002.

A resolution agreeing to a commencement date for the construction of the affordable housing units as prepared by Mr. Muhlstock will be placed on the May 23<sup>rd</sup> regular meeting proposed consent agenda.

**Proposed Increase in Fire Department Clothing Allowance**

The Mayor and Council were in agreement that there should be no increase to the Fire Department clothing allowance at this time.

Mayor Alter stated that any request from the Fire Department should be run through Ms. Voss as council liaison before it gets placed on a meeting schedule.

**Amended Public Records Request Form**

Mr. Grant explained that with the new public records law taking effect in July, the Borough needs to approve and adopt a new records form.

Mr. Grant to prepare form for introduction at a future regular meeting in June.

**Amendments to Rent Leveling Ordinance**

An ordinance making minor technical amendments to the Rent Control Ordinance, Section 2.D and Article IX as requested by Phyllis Saleh, Rent Leveling Administrator, will be introduced at the May 23<sup>rd</sup> regular meeting.

**Amendment to Land Use Procedures - Expiration of Variance**

Mr. Muhlstock stated that he prepared an ordinance that would give the Board of Adjustment the ability to give developers up to an additional six months to proceed with their projects once their original variance has expired.

The ordinance amendment to extend the time was based on the recommendation of Superior Court Judge Jonathan Harris.

The ordinance will be introduced at the May 23<sup>rd</sup> regular meeting.

**FCC Cable Modem Ruling**

Mayor Alter stated that he received a letter from the United States Conference of Mayors who are against the FCC's ruling that cable modem services is neither a telecommunication service nor a cable service.

He would like to send out a letter to legislators and other municipalities regarding having the Borough go along with the U.S. Conference of Mayors appeal of the FCC's decision.

The governing body had no objection to the Mayor's request.

Mr. Meyers spoke to the letter written by Loraine Riordan-Mooney, Director of Public Affairs for Time Warner Cable, with regard to the ability of municipalities to negotiate the length of a franchise agreement with their existing cable companies.

**Liquor License Transfer Big Steaks II, Inc. to Ristorante Il Limoncello, LLC**

A resolution authorizing person to person transfer from Big Steaks II, Inc., to Ristorante Il Limoncello, LLC located at 1310 Palisade Avenue will be placed on the May 23<sup>rd</sup> regular meeting proposed consent agenda.

**New York/New Jersey Firemen Association Annual Convention**

Ms. Thomas stated that Ralph Porrino, Deputy Fire Chief, has requested that the New York/New Jersey Firemen Association be hosted by Fort Lee in June of 2003. He said there would be a cost of \$2,500 to host the event, which he will include in his budget next year.

There were no objections from the Mayor and Council to having Fort Lee host the event.

**Amending Summer Meeting Schedule for Executive Sessions**

A resolution amending the summer meeting schedule of July and August so as to have the executive sessions of July 23rd and August 20th moved to Thursday, July 25th and August 22nd respectively beginning at 2:00 p.m. will be placed on the May 23rd regular meeting proposed consent agenda.

**Renaming of Federspiel Street**

Mr. Cervieri asked the Mayor and Council to consider the possibility of renaming Federspiel Street. There doesn't seem to be a major historical reason for keeping the name as it is. There are only a few houses on the street. He would like to see a contest held throughout the entire Fort Lee school system to come up with a fitting name.

Mr. Meyers stated that many Borough streets such as Tom Hunter Road were named after developers.

**PUBLIC HEARINGS FOR MAY 23, 2002**

Ord. #2002-19--Amending Chapter 289, Section 36,  
"Residential Permit Parking" - Temporary Use of  
ShopRite Parking Lot

Ord. #2002-20--Amending Chapter 1, Section 17 and Other  
Sections of the Borough Code to Increase The Allowable  
Municipal Court Fine From \$1,000 to \$1,250

Ord. #2002-21--Amending Ordinance #2002-15 - Blue  
Collar Salary and Wages

Ord. #2002-22--Amending Salary Ordinances #1999-23,  
2001-41 and 2001-17 and Establishing Salaries for the  
Borough Clerk, CFO, Tax Collector/Treasurer, Tax  
Assessor and Borough Administrator

Ord. #2002-23--Bond Ordinance for Preliminary Expenses  
for Proposed Anderson Point Park - \$500,000

Ord. #2002-24--Amending Chapter 345, Section 22, "Site  
Plan Review" - Replacement of Trees in One-Family and  
Two-Family Owner Occupied Residential Parcels

There being no further discussion, the meeting was adjourned  
**on motion by Councilwoman Voss, seconded by Councilman Villano,**  
at 9:00 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, May 2, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: DPW Summer Help  
Municipal Court Judge Reappointment

Contracts: Daniel Spiegel  
Amending Blue Collar Contract  
Non-Union Personnel

Litigation: Municipal Finance, LLC, et al vs. Borough of Fort Lee et al

Procedure for Discussion for Tax Assessor Matter

Lee Street Shopping Ctr. @ Fletcher Avenue/Route 4

Interlocal Service Agreement With Leonia -(Public Assistance)

Rent Leveling Appeal: Barbara LeBow vs. Hudson Equities Management Corp a/k/a H.E. Bridge Plaza, Inc.

Portion of April 18, 2002 Closed Session Minutes  
Appointments: Historic Site, Structural, Etc.  
ADA Committee

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

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

#### **GENERAL DISCUSSION**

#### **Bergen County Division of Cultural & Historic Affairs**

Pat Morillo, preservationist consultant for the Bergen County Division of Cultural & Historic Affairs, presented a slide show of Historic Registered Places in Fort Lee.

She explained that an updated historic site survey was completed last summer. The first survey was done in 1981. She spoke to how funding originated. She added that the second survey discusses lost sites, new sites with a revised map and the full revised list.

After the slide show was completed, she explained that the only way to hold onto and protect historic sites is to have an ordinance in place.

She presented materials to the Mayor and Council explaining the different types of ordinances that are available to them.

#### **ENGINEERING DISCUSSION**

Elliot Sacks, Boswell McClave Engineering representative, was present for this portion of the meeting.

Mayor Alter left the room at this point in the meeting and asked Mr. Goldberg to chair this portion of the meeting.

**DOT 2003 Municipal Aid Program**

Mr. Sacks stated that Tony Lione, DPW Director, has made his recommendations to do Cumbermede Road. He added that the State gives \$150,000 to the Borough. The cost of the job is approximately \$185,000 so the Borough will have to pay a little of their own money.

A resolution authorizing Boswell McClave to prepare the grant application at a cost not to exceed \$1,000 will be placed on the May 9<sup>th</sup> regular meeting proposed consent agenda.

**2002 Roadway Improvement Program**

Ms. Thomas stated that there is paving money available from last year's capital ordinance.

Mr. Sacks has estimated a fee of \$9,000 for design services and a fee of \$18,000 to oversee construction services. The total cost shall not exceed \$27,000. The estimated cost of the project is \$175,000. They will put in alternates in the bid specifications just in case the cost of the project is less expensive than anticipated.

A list of the streets for the 2002 Roadway Improvement project is available in the office of the Borough Clerk.

Ms. Voss asked that Harvard Place be revisited so that the whole street from Central Boulevard to Brinkerhoff be paved and milled.

Ms. Thomas reminded everyone that the 2002 Capital Ordinance still needs to be prepared.

**Sewer Hook-Up for Madonna Church**

Mr. Grant explained that the Church's attorney, Carmine Alampi, will pay Boswell McClave through an escrow account set up through the Borough.

There is no cost to the Borough.

A resolution authorizing Boswell McClave to prepare projected sewer flow calculations with regard the Church of the Madonna and Mausoleum in Fort Lee and Leonia will be placed on

the May 9<sup>th</sup> regular meeting proposed consent agenda.

It was agreed that an initial escrow of \$2,000 should be set up through the Chief Financial Officer.

Mr. Sacks added that the sewer flow calculations have already been approved.

**Kensington Park - Internal Roadway Construction**

Ms. Thomas stated Kensington Park is undertaking substantial roadway repair and repaving to the front part of the property.

Mr. Sacks sent a letter to the association's attorney to let them know that the Borough will be doing roadway and signalization improvements in proximity to the intersection of Palisade Avenue and Columbia Avenue.

No action needs to be taken by the governing body.

**Traffic Light @ Angioletti Place and Palisade Avenue**

Mr. Goldberg stated that the Borough's traffic study should be completed before the Borough decides whether to place a traffic light at Angioletti Place and Palisade Avenue.

Mr. Cervieri said that a light would help people cross the street more easily.

**Soil Borings @ ShopRite Property**

Mr. Sacks explained that the soil borings will be subcontracted. It was agreed that Dean Marchetto, architect for Anderson Point Park, should review Boswell's proposal. The proposal calls for eight soil test borings at a total cost of \$12,000.

**GENERAL DISCUSSION CONTINUED**

**Bonding for Architect for Proposed Park**

Ms. Thomas informed the Mayor and Council that she will be bonding up to \$500,000 for the architect's services for Anderson Point Park. This will take the Borough through the first portion of his contract which would be 60% of the design costs.

A \$500,000 bond ordinance will be introduced at the May 9<sup>th</sup> regular meeting.

**Summer Meeting Schedule**

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

It was agreed that the July 18<sup>th</sup> executive session would be moved to Tuesday, July 23<sup>rd</sup> and that the August 15<sup>nd</sup> executive session would be moved to Tuesday August 20<sup>th</sup>.

Mr. Grant to prepare the appropriate resolution.

**Fence Ordinance**

There was no discussion on this item tonight.

**Tree Ordinance**

Mr. Meyers explained that the tree ordinance prepared by Mr. Muhlstock last year is a reasonable stopgap ordinance.

Mr. Cervieri requested that the ordinance be amended to exempt single-family and owner occupied two-family homes.

It was agreed that the tree ordinance with the requested amendments be prepared by Mr. Muhlstock and introduced at the May 9<sup>th</sup> regular meeting.

**Port-O-Johns**

Mr. Muhlstock stated that he hasn't had a chance yet to review this issue.

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

**Recognition of Volunteer(s)**

Mr. Meyers stated that Hanna Lee, a member of the Historic Site, Structural, Cultural and Landmark Committee, is graduating from Fort Lee High School this year. He would like to present her with a plaque for all of her efforts at a future Mayor and Council regular meeting.

There were no objections to Mr. Meyer's request.

**Awarding Bid for Various Materials - Two Year Contract**

Mr. Muhlstock explained that bids were accepted for various construction materials for various Borough projects on as needed basis. It's an open ended contract for two years.

After reviewing the bids it was determined that Anchor Concrete Products bid will be awarded for certain various construction materials, but Denville Line Painting's bid was over the Borough's budgetary constraints for the items that they bid on.

Mr. Muhlstock to prepare two resolutions. One accepting Anchor's bid and the other rejecting Denville's bid and requesting a rebid of their items and other items that did not receive an initial bid.

**Awarding Bid for Pre-Engineered Building at 540 Main St**

A resolution awarding bid to Security Structures for the addition to the DPW garage lunch/locker room and the vehicle storage building (all-inclusive building) at the rear of 540 Main Street at the total cost of \$942,026 will be placed on the May 9<sup>th</sup> regular meeting proposed consent agenda.

**Parking Ordinance for Temporary Use of ShopRite Parking Lot**

An ordinance regulating the temporary use of the former ShopRite parking lot will be introduced at the May 9, 2002 regular meeting.

**Scheduling of Liquor License Hearings**

Mr. Grant explained that the Police Department will give him a list of liquor licenses which they feel warrant special conditions at the time of license renewal.

This item will be discussed in more detail at the May 16<sup>th</sup> executive session.

**R-1 - Appointing J.S. Lee Cohen, Esq., Hearing Officer on Behalf of the Borough With Regard to Obtaining Yearly Permit for Application Submitted by Luis Rolando Ciudadreal (Added on Item)**

**Councilman Goldberg introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, the Borough of Fort Lee has enacted an ordinance requiring certain employees of apartment houses and/or building developments to obtain a yearly permit; and

WHEREAS, the Police Department of the Borough has reviewed the application of Luis Rolando Ciudadreal and determined through investigation the existence of a criminal record and has therefore, denied Mr. Ciudadreal's permit; and

WHEREAS, Mr. Ciudadreal has requested a hearing to be held in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Council does hereby appoint J.S. Lee Cohen, Esq. to act as Hearing Officer on behalf of the Borough regarding this matter and to render a written report and recommendation within 20 days of the date hereof.

There being no discussion, the resolution was **approved unanimously.**

**Site Plan and Architectural Review Committee (Added on Item)**

Mr. Meyers asked Mr. Muhlstock to review a site plan and architectural review committee ordinance that exists in California.

This would deal with how building facades would look with regard to new construction on Main Street.

Mr. Cervieri added that requiring screening of any rooftop materials that can be seen from the street should also be looked into.

**PUBLIC HEARINGS FOR MAY 9, 2002**

Ord. #2002-17--Bond Ordinance for Capital Improvements and Related Expenses - \$2,000,000

Ord. #2002-18--Repealing and Replacing Chapter 130, Section 12 - Alcoholic Beverages Related to Minors

**2002 Municipal Budget**

There being no further discussion, the meeting was adjourned  
**on motion by Councilwoman Voss, seconded by Councilwoman**  
**Kasofsky, at 9:12 p.m.**

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, April 18, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Villano, seconded by Councilman Goldberg** 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:

Contracts: Rent Leveling Board Attorney  
Voza Insurance Agency  
Abeles, Phillips, Preiss, Shapiro, Inc.  
Community Grants and Planning  
Use of Credit Cards for Municipal Court  
Payments  
Vogel Consulting Group  
Architect(s) for Anderson Point Park  
Borough Newsletter

Litigation: Exxon Mobil Corp. v. Borough of Fort Lee

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**

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

**Fort Lee Tax Map**

Mayor Alter spoke to a letter written March 27<sup>th</sup> from Robert Layton, Bergen County Tax Administrator, to George Messier, Boswell McClave Engineering, with regard to the Borough's tax map situation and how it's affecting the Borough's revaluation.

Mr. Muhlstock explained that he was at the April 10<sup>th</sup> Bergen County Tax Board meeting which was attended by John Richardson, Boswell McClave Engineering and Tim Leodori. Messrs. Muhlstock and Mr. Leodori had a heated discussion regarding why Mr. Leodori's tax list was never conformed to the approved tax maps. Mr. Muhlstock asked the Division of Taxation for a waiver to utilize the old tax maps instead of the approved maps because Mr. Leodori's assessment list was not updated. The revaluation firm is going forward with the revaluation with the assumption that Fort Lee is going to receive the waiver to use the old maps for the revaluation and after the revaluation is completed the tax map will be updated with regard to blocks and lots.

**Roadway Improvements to Jones Road, Section 4 (English Paving Company Inc.)**

Mr. McGrath stated that the contractor had shut down for the winter. PSE&G has to align the existing gas main on Jones Road. They don't want the contractor working until they finish their work which should be around the middle of May. Until English Paving can prove to Boswell that he has to blast, Boswell will not give him permission. He recommended a pre-blast survey but people have to enter into the houses so that they can inventory the home to see what kind of damage might be done if there is blasting. The cost is approximately \$150.00 per house.

Mr. Villano asked if there is a way to move the sidewalk above the rock.

Mr. McGrath replied that the water would have nowhere to drain.

Mr. Cervieri recommended doing a pre-blast survey regardless whether blasting is done. This way even if the backhoe and drills cause problems, the homeowners and the Borough would know what damage has been done to a home.

Mr. McGrath replied that the contractor would know within two hours if the backhoe and drills are working. A lot of damage cannot be done in two hours by drilling to see if the rock can be removed without blasting.

The pre-blast survey work will be added as a change order to English Paving's contract.

**Status Of Borings at ShopRite (Added on Item)**

Mayor Alter asked for the status of the borings at the former ShopRite property.

Mr. McGrath stated that the work should be completed in the next few days.

Mr. Cervieri asked if taking six borings is enough.

Mr. McGrath replied that because the boring tests are being done around the fringes of the existing building, six boring tests should suffice.

**Bond Ordinance for Expansion of DPW Yard**

Ms. Thomas stated that funding through a bond ordinance needs to be in place for the expansion of the DPW yard at 550 Main Street.

Mr. Grant to contact bond counsel so as to have a bond ordinance introduced at next week's meeting.

**GENERAL DISCUSSION**

**April 19<sup>th</sup> Letter - Pedestrian & Bicycle Projects (Added on Item)**

Mayor Alter mentioned possible funding for pedestrian and bicycle paths.

The governing body chose not to submit an application at this time.

**Scheduling of Budget Meeting**

It was agreed that a special budget meeting of the Mayor and Council will be held on Thursday, May 2<sup>nd</sup>, at 5:00 p.m. in the Executive Conference Room.

Ms. Thomas stated that she would like Joseph Iannaconi, CFO and Steve Wielkocz, Borough Auditor, to attend.

**Request for Municipal Ordinance - Underage Drinking on Private Property**

An ordinance amending the Borough's current ordinance prohibiting minors possessing or consuming any alcoholic beverage in or on school property, public conveyance or on private property will be introduced at the April 25<sup>th</sup> regular meeting.

The current ordinance will be amended to reflect higher fines, and the addition of performing community service, and at the discretion of the Court, having a New Jersey driving privilege suspended or postponed for six months will be reflected in the ordinance amendment.

**Community Grants and Planning**

Mr. Meyers spoke to a letter written by Dave Gerkins, Community Grants and Planning representative.

Mr. Meyers stated that Community Grants and Planning and the Borough need to be more aggressive in obtaining grants. There is more money available than the Borough is receiving.

Ms. Voss stated that when going for grants everyone has to be coordinated.

Ms. Thomas replied that overall Community Grants and Planning have been pretty good.

Mayor Alter asked Mr. Grant to contact the high school to see if they have some kids who are computer literate and want to volunteer some time in helping the Borough look for possible grant money.

Mr. Grant to contact John Battaglia or Gary Gleeves at the high school after spring break.

**Film Commission Office Space**

Mr. Meyers stated that the film commission is looking for a small amount of space at 540 Main Street. The Historic Society is expanding their collection at Judge Moore House and usable space for the film commission there is limited.

He also spoke to the blow-ups of pictures that can be used at 540 Main Street when the project is completed.

**Amending Zoning Ordinance**

Mr. Meyers requested that James Virgona be brought into a future executive session after the Borough's budget is adopted so as to discuss amendments to the zoning ordinance.

**Purchase of Four Police Vehicles**

A resolution purchasing three marked and one unmarked police cars from Winner Ford through state contract at an approximate cost of \$80,000 will be placed on the April 25<sup>th</sup> regular meeting proposed consent agenda.

**Proposed Purchase of AM Radio Station**

Ms. Kasofsky asked if the Emergency Management Coordinator has done any research with regard to this request from the Police Department.

Mayor Alter stated that the Emergency Management Coordinator was upset that he was left out of the process.

Mr. Goldberg added that with the car ban being lifted on the Lincoln Tunnel traffic problems will ease in the Borough.

Messrs. Alter and Villano completely disagreed if this was a worthwhile investment.

Mayor Alter is for the purchase and Mr. Villano is against.

A resolution awarding a contract for the purchase of an AM radio station for the Borough will be placed as a separate resolution at the April 25<sup>th</sup> regular meeting.

**Section 529 College Savings Plan for Borough Employees**

A resolution authorizing Solomon Smith Barney to offer an

optional Section 529 College Savings Plan for Borough employees will be placed on the April 25<sup>th</sup> regular meeting proposed consent agenda.

**Advertising for Bids for Parking Gates and Controls**

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for parking gates and controls will be placed on the April 25<sup>th</sup> regular meeting proposed consent agenda.

**Awarding Bid for Channel Monster Electric Grinder**

A resolution awarding bid to Rapid Pump & Meter Service Co., Inc. for two channel monster electric grinders at a total cost of \$108,490 will be placed on the April 25<sup>th</sup> regular meeting proposed consent agenda.

**ADDED ON ITEMS**

**Ordinance Increasing Municipal Fines to \$1,250.00**

Mayor Alter stated that the law has changed as to how much the Borough can charge for fines for violations of ordinances that the Borough has on its books.

Mr. Muhlstock to prepare the appropriate amending ordinance raising fines from a maximum of \$1,000 to \$1,250.

**May 22<sup>nd</sup> Awards Dinner - Scott Vassel**

Ms. Voss announced that the May 22<sup>nd</sup> school awards dinner will be honoring Scott Vassel, a former graduate of Fort Lee High School who died in the terrorist attacks last September.

**Cleanliness of Main Street**

Conversation ensued among a resident, the Mayor and Council, Ms. Thomas and Mr. Grant about the uncleanliness of Main Street. Some ideas including stricter enforcement of property owners and the possibility of hiring a worker to keep the Main Street area and other commercial areas in towns cleaner on a more regular basis were discussed.

There was no formal action taken on this matter.

**Paving of Certain Streets**

Mr. Meyers mentioned that First Street near School #3, Linwood Avenue by the Mobil Station and Moore Street are all in need of repaving.

**Construction Sites**

Mr. Goldberg stated that construction sites are not being secured properly.

**Ferry Service**

Mayor Alter stated that the governing body of Edgewater is terribly divided on this issue.

**PUBLIC HEARINGS FOR APRIL 25, 2002**

Ord. #2002-13 - "CAP" Ordinance to Exceed Index Rate

Ord. #2002-14 - Amending Salary Ordinance #99-5 -  
Establishing Salaries and Wages for White Collar  
Employees and Certain Non-Union Employees 2002-2005

Ord. #2002-15 - Amending Salary Ordinance #99-11 -  
Establishing Salaries and Wages for Blue Collar  
Employees 2002-2005

Ord. #2002-16 - Amending Chapter 388, Sections 30 and  
59 Right Hand Turn Lane at 200 Old Palisade Road South  
Side Commencing 232' Feet East of the Apex of Parker  
Avenue

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, April 4, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney  
Joseph Iannaconi, CFO

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilman Villano seconded by Councilman Goldberg** 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  
Recreation Department

Contract: Architect(s) for Anderson Point Park

Litigation: Exxon Mobil Corp vs. Fort Lee, et al.  
Campo vs. Borough of Fort Lee

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**

Elliot Sacks, Boswell McClave Engineering representative, was present for this portion of the meeting.

**Enhancement of the Southern Portion of Federspiel Street**

Mr. Sacks requested that a resolution be passed at tonight's regular meeting authorizing Boswell McClave to prepare a conceptual design plan to enhance the southern portion of Federspiel Street at a cost not to exceed \$9,500. A resolution to prepare a topographical and boundary survey was approved at the March 14<sup>th</sup> regular meeting.

He added that the conceptual design plan will be developed after the survey is completed in approximately two weeks.

A resolution approving a contract for Boswell McClave to do the above work will be placed on tonight's regular meeting proposed consent agenda.

**Bid for Road Work on Angioletti Place Combining Sections 2 and 3 Work should be done at night.**

Ms. Thomas stated that doing the streetscape work on Palisade Avenue beginning at Tom Hunter Road will have an impact on traffic.

Conversation ensued between Ms. Thomas, and Messrs. Alter, Cervieri and Sacks.

It was agreed that the streetscape and sewer work should be done between the hours of 10:00 a.m and dusk until the project is completed.

Ms. Sacks explained that if the work was done at night it would cost approximately 15% more.

GENERAL DISCUSSION

Proposed Increase in Fire Department Clothing Allowance

This item to be brought back to the April 18<sup>th</sup> executive session for discussion.

Advertise for Bids or Lease/Purchase Through New Jersey State Contract Four (4) Vehicles for Police Department

A resolution authorizing the Purchasing Consultant to advertise for bids or lease/purchase through New Jersey State contract will be placed on tonight's regular meeting proposed consent agenda.

This item to be brought back to the April 18<sup>th</sup> executive session for further discussion of how many vehicles need to be purchased.

Authorizing Purchase of Furniture for Police Department

This item to be brought back to the April 18<sup>th</sup> executive session for discussion.

Environmental Cleanup of Police Pistol Range and New Environmental Bullet Trap for Pistol Range

Thomas Tessaro, Police Chief, was present for this portion of the meeting.

Chief Tessaro stated that the location of the range is not popular. He stated that Bergen County will let the Fort Lee police officers qualify at their range. They can give the Police Department two weeks of shooting time to get everyone qualified annually. It would be no cost to the Borough.

Ms. Voss mentioned that Teaneck has a shooting range.

Mayor Alter also asked that private range alternatives be examined.

This item to be placed back on April 18<sup>th</sup> executive session.

Proposed Purchase of AM Radio Station

Mr. Goldberg requested that this item be tabled until after the budget is adopted.

Mayor Alter asked why it has to be tabled at tonight's meeting.

It was agreed that the resolution authorizing the proposed purchase of an AM radio station would be removed from tonight's regular meeting.

**Library Board**

Mr. Meyers stated that there is a lack of communication with the Library, its Board and the Borough. Mr. Meyers would like them to attend a future executive session to discuss their budget.

He added that he doesn't have any problem with giving them more money but they aren't going about things right.

Ms. Voss said that in general the library staff is rude.

Mr. Meyers stated that the Mayor and Council has treated the library very fairly, including forgiving them for close to \$300,000 in debt.

It was agreed that Ms. Thomas and Mr. Meyers would meet with members of the Library Board of Directors along with the Library Director Rita Altomara.

**PUBLIC HEARINGS SCHEDULED FOR APRIL 4, 2002**

Ord. #2002-10 - Bond Ordinance for Streetscape Improvements to Palisade Avenue, Sections 2 and 3 - \$600,000

Ord. #2002-11 - Amending Bond Ordinance #2001-22 - Providing for the Preliminary Study of the Combined Stormwater and Sanitary Sewer Abatement Project in the Southeast Area of the Borough - \$90,000 Increase From \$510,000 to \$600,000

Ord. #2001-12 - Amending Chapter 90, Section 2, - Police Department Formation and Rank

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, March 21, 2002**

PRESENT: Mayor Alter, Council Members Kasofsky, Villano,  
Goldberg, Voss, Cervieri

ABSENT: Councilman Meyers

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

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2. On January 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: EMT

Litigation: Campo vs. Borough of Fort Lee, John Schepisi, Esq. in Attendance

Bergen Estates Tax Sale Certificate

Ferry Service

Contracts: Borough Emergency and Information AM Radio  
Station for Public Announcements - Sgt. Camille Milo  
in Attendance

Garbage/Recycling Bids  
Anderson Point Architect(s)  
Port Authority

Municipal Parking Lot Lease With Plaza Diner  
Liquor License: Jabadou, Inc., t/a Tribecca  
Insurance Reimbursement

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**

**Right Turn Only Lane on Old Palisade Road South Side at River Ridge**

Mr. Grant explained that Messrs. Cervieri and Goldberg, along with Sgt. Keith Bendul of the Police Department agreed that a right turn only lane where there is currently a no parking ordinance on Old Palisade Road South Side by River Ridge should be installed. This will give the people leaving the River Ridge complex a field of vision to see oncoming traffic.

Mr. Muhlstock to prepare the appropriate ordinance for introduction at the April 4<sup>th</sup> regular meeting.

**GENERAL DISCUSSION**

**March 7<sup>th</sup> Police Department Complaint Letter**

This item was moved to the closed portion of the meeting.

**Support for S-478/A-540 - Property Tax Reform Movement**

At Mayor's request with the governing body concurring, a resolution endorsing a constitutional amendment to the New Jersey Constitution as proposed by the New Jersey State Senate and Assembly for a property tax reform movement will be placed on the April 4<sup>th</sup> regular meeting proposed consent agenda.

**Public School Resource Officer Training**

Ms. Voss stated that several states particularly in the Midwest and South, have passed legislation for the training of School Resource Officers. Police Officer Pat Kissane the Borough's School Resource Officer, is asking if Fort Lee can get the ball rolling with regard to getting legislation passed in New Jersey. He has already begun organizing other resource officers so that they can support one another in their ongoing effort.

Mayor Alter suggested that Ms. Voss move forward with this request by bringing this issue up with District 38 State Assemblyman Matt Ahearn and with State Senator Joseph Coniglio.

**Bus Shelter at Corner of Main Street at Hudson City Savings Bank**

Mr. Grant explained that Councilman Goldberg requested that the above bus stop be moved approximately fifty feet so that buses will not block traffic trying to make a left turn from Center Avenue to Main Street.

Mr. Grant added that he spoke to Steve Monetti who indicated that he had no problem removing three meters in front of Borough Hall so that traffic could flow better. Mr. Monetti requested that if the bus stop is moved it be placed on the east side of the Richard A. Nest Senior Citizen's Center.

It was also agreed by the Mayor and Council that the handicapped parking space in front of Borough Hall would remain.

Mr. Grant to report back to the Mayor and Council after he works out the details with New Jersey Transit.

**Jewish Community Center of Fort Lee Commemorative Journal Ad for Jack and Joan Alter**

The governing body along with Ms. Thomas, Mr. Grant and Mr. Muhlstock agreed to take out a \$500.00 commemorative ad paying special tribute to Jack and Joan Alter in celebration of the Fort Lee Jewish Community Center 50<sup>th</sup> Golden Anniversary Dinner Dance.

**Authorizing Purchase of Furniture for Police Department**

The governing body asked that the purchase of the Police Department's furniture be postponed until Chief Thomas Tessaro gives a detailed explanation of the pending purchase.

**Auction of Borough Property**

Ms. Thomas stated that the Borough will be holding an auction of Borough property on a Thursday in May.

A list of what's being auctioned will be given to the Mayor and Council prior to the auction.

A resolution authorizing Dingman and James, professional auctioneers, to conduct the auction for the sale of Borough property will be placed on the April 4<sup>th</sup> regular meeting proposed consent agenda.

**Edgewater Municipal Utilities Authority - Grease Trap Inspections**

Mayor Alter stated that he feels that the Borough should be getting more money from the Edgewater Municipal Utilities Authority (EMUA) for the Borough to inspect their grease traps.

Mr. Muhlstock replied that the Borough would be receiving more money than under the original agreement that was proposed by the Edgewater Municipal Utilities Authority.

Ms. Thomas added that Steve Wielkocz, Health Inspector, has no real incentive to do this as the Health Board recently gave him a raise.

It was agreed however, that a resolution entering into an interlocal agreement with the EMUA for inspection of grease traps in Edgewater by the Borough of Fort Lee would be placed on the April 4<sup>th</sup> regular meeting proposed agenda.

**2002 Equalization Ratio**

Mayor Alter asked if everyone received the letter from the Bergen County Board of Taxation which reduced the 2002 County Equalization rate of Fort Lee from 87.52% to 82.06%. This in effect would raise the allocation of Fort Lee's tax burden to the county.

Mr. Muhlstock stated that on behalf of the Borough he will fight the County's reduction of the ratio.

The Mayor and Council concurred that this should be fought by Mr. Muhlstock.

Fort Lee Revaluation

This item was moved to the closed portion of the meeting.

Municipal Court Bail

Mr. Goldberg explained that Leonia's Municipal Court Judge complained that Judge John DeSheplo has been taking bail for certain Title 39 motor vehicle violations.

Mr. Goldberg added that the head of the Bergen County Municipal Court Judges has told Fort Lee to cease this practice even though Fort Lee has been using it as it was promulgated in 1985 and reissued by the Bergen County Assistant Trial Court Administrator in 1986.

Mr. Goldberg feels that this would have a negative impact for the Borough because so many out-of-state drivers are ticketed and never come to court. This will give them even less incentive to come to court and would hurt the Borough's revenue stream because there would now be no bail forfeiture.

Mr. Goldberg stated for the record that Judge DeSheplo has nothing to do with his request for a resolution supporting bail reinstatement for certain Title 39 moving violations.

The Mayor and Council concurred with Mr. Goldberg's request.

A resolution supporting bail reinstatement for certain Title 39 moving violations will be placed on the April 4<sup>th</sup> executive session and will be sent to the head of the Bergen County Municipal Judges for his review.

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Goldberg,** at 9:00 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, March 7, 2002**

PRESENT: Mayor Alter, Council Members Kasofsky, Villano, Goldberg, Voss, Cervieri

ABSENT: Councilman Meyers

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

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**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: General Services  
Police Department  
Senior Citizens Department  
Tax Assessor's Office  
Tax Collector's Office

Interlocal Agreement With Leonia

Contracts: Certified Valuation Inc.

Proposal for 540 Main Street - Ronald  
Schmidt & Associates, P.A.

Bruce Bonaventuro

Garbage/Recycling Bids

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.

**BUDGET DISCUSSION**

**2002 Municipal Budget - Steve Wielkocz, Borough Auditor, in Attendance**

Mr. Wielkocz presented the following information to the Mayor and Council (Addendum A) with regard to this year's municipal budget.

He explained that the \$400,000 emergency was related to legal fees. There has also been a slight increase in debt service.

Ms. Thomas stated that the figures for garbage collection came in under number that was budgeted for. Salaries will bump up for the Police Department after July 1<sup>st</sup> when the new police officers will be out of the academy.

She indicated that significant cuts were made in overtime expenses for the police department. They were down \$175,000 plus \$50,000 in court time from last year. There was also a \$180,000 decrease in the salary and wage adjustment account, and insurance overall increased by 25%.

Mayor Alter asked if health insurance is within the budget cap.

Mr. Wielkocz replied affirmatively.

Mayor Alter stated that tonight's discussion is not a substitute for a full budget review before the budget hearing.

Ms. Wielkocz added that the reserve for uncollected taxes is the same as last year at \$1,850,000. The Borough will be using 100% of its cash surplus.

Ms. Thomas added that there is enough in the down payment account which has been reduced to bond for \$9,000,000.

Mayor Alter stated that barring any changes the municipal portion of the budget will increase by six points.

It was agreed that the budget would be introduced next week and the public hearing would take place at the May 9<sup>th</sup> regular meeting.

In addition, an ordinance increasing the CAP Rate index from 2.5% to 5% will also be introduced at next week's regular meeting.

### **ENGINEERING DISCUSSION**

#### **Van Fleet Park Clubhouse**

Mr. Villano indicated that he and Mitch Silver met a month ago. It was agreed that the clubhouse should be inside the field area. It will be 56 to 60 feet long which is smaller than the 72 foot one that was originally planned. There is a sewer pipe by the fence line in the northwest corner of the property that will have to be avoided when building the clubhouse.

Mr. Villano reiterated that it will be on the northwest corner of the park but not on the Flynn Property. The utility shed will be incorporated into the building.

Ms. Thomas stated that the outside of the building will be done in a brick veneer.

Mr. Cervieri suggested that it have a shingle roof.

It was agreed that a resolution authorizing the purchasing consultant to prepare specifications and to advertise for bids for the clubhouse at Van Fleet Park be placed on next week's regular meeting proposed consent agenda.

#### **Change Order for Hi-Tech Contracting Corp.**

Mr. Grant stated that Hi-Tech Contracting Corp. spent an additional \$5,565 more than they were contracted for to furnish and install a new one piece drip edge set at the perimeter of the

mansard roof of the police facility and to install a continuous angle on the back side of the gutter to catch the cascading water from the gutters and leaders at the police facility.

Mr. Grant to prepare an resolution for next week's regular meeting authorizing a \$5,565 change order for Hi-Tech Contracting Corp.

**Advertising for Bids for Streetscape Phase 2**

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for Phase 2 Streetscaping will be placed on the March 14<sup>th</sup> regular meeting proposed consent agenda.

**Advertising for Bids for General Construction Materials**

Ms. Thomas explained that the majority of the general construction materials will be used for the Municipal Parking Lot.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for general construction materials will be placed on the March 14<sup>th</sup> regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Approving Raffle License #926 for Madonna R.C. Church and #927 for Christ the Teacher Interparochial Home School Association**

Mr. Grant indicated that because of the late filing of the applications, there was not enough time to place it on next week's regular meeting. The Legalized Games of Chance Control Commission requires fourteen days to review raffle applications. The date of the above organization's raffles is March 22, 2002. Mr. Grant has requested that these license applications be voted on tonight by the Mayor and Council.

On motion by **Councilman Villano, seconded by Councilwoman Voss**, raffle licenses 926 and 927 for the above organizations were **approved unanimously**.

**Denial of Permits for Non-Payment of Penalties**

It was agreed that Mr. Muhlstock should prepare an ordinance

for introduction at next week's meeting which will deny permits for non-payment of outstanding penalties.

**September 11th: "A Testimony" Fundraiser**

Mayor Alter brought in the above book and asked how it could be used throughout the Borough.

Mr. Grant to get the original copy of the book and to show it to Josh Lazarus, Fire Chief, and to the other departments to see if by purchasing multiple copies of the book, it could be used as a fund-raising mechanism for some of the volunteer departments in the Borough.

**Old Palisade Road (Added on Item)**

Messrs. Cervieri and Goldberg stated that they along with Steve Monetti, Ray Levy and Elliot Sacks looked at the area where River Ridge and the new East/West building are situated. They requested authorization for Boswell McClave to do a field survey so that the extension of Federspiel Street could be linked with the cul-de-sac area that is between the two buildings. They also requested that an ordinance be introduced to eliminate the six parking spots on Old Palisade Road at River Ridge. The management of River Ridge has agreed to this. They also want the placement of a stop sign at the exit of East/West and one stop sign where the six parking spaces are currently at River Ridge. They indicated that this will slow traffic down between the two buildings.

Ms. Thomas to speak to the police department about the stop signs.

Mr. Muhlstock to prepare the appropriate ordinances for introduction at next week's meeting.

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, February 21, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Voss, Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Police Department - Thomas Tessaro, Police Chief in Attendance

Contracts: Board of Adjustment Attorney  
AT&T Cellular Antenna on Old ShopRite Building

Lease: Southbridge Park, Inc.

Liquor License: Mac-On Inc. t/a Lounge 2028

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**

Elliot Sacks, Boswell McClave Engineering representative, was present for this portion of the meeting.

**Combined Sewer Separation Project - Phase I**

Mr. Sacks stated that on March 4<sup>th</sup> he will be going to Trenton for a permit request for the project. He needs a resolution tonight authorizing a treatment works approval (TWA) for the project. The cost of Phase 1, which is in the southeast portion of the Borough, is expected to be approximately \$7,000,000. When the work is completed there will be newly paved roads in addition to separated sewers.

Mr. Grant said that there is no violation of the Open Public Meeting Act by approving a resolution tonight. The annual meeting agenda states that action may be taken in executive session.

Ms. Thomas added that once the sewers are separated the Borough will be saving a lot of money by lowering its costs to the Bergen County Utilities Authority.

**R-1 - Authorizing Mayor Alter to Sign and Certify All Documents and/or Endorsements to the BCUA and the New Jersey DEP With Regard to Obtaining a Loan From the New Jersey Environmental Infrastructure Trust**

**Councilwoman Voss introduced, and Councilman Villano seconded, the following Resolution:**

WHEREAS, the Borough of Fort Lee is filing documents with the New Jersey Department of Environmental Protection to obtain a loan from the New Jersey Environmental Infrastructure Trust; and

WHEREAS, on January 24, 2002 the Mayor and Council of the Borough of Fort Lee passed Resolution No. CA-8 authorizing Mayor

Jack Alter to act as Authorized Representative to represent the Borough of Fort Lee in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust; and

WHEREAS, the application of the Borough of Fort Lee must be filed with the D.E.P. on or before March 4, 2002; and

WHEREAS, the Borough of Fort Lee is required to file a TWA permit as part of this loan,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Mayor Jack Alter is hereby authorized to sign and certify all documents and/or endorsements to the Bergen County Utilities Authority and the New Jersey Department of Environmental Protection to their standard application form - construction and discharge permits (TWA permit application).

The Resolution was **approved unanimously**.

Mr. Villano asked about the proposed \$7,000,000 in costs for phase 1.

Mr. Sacks explained that the figure includes full-time inspection. The associated construction fees are expected to be around \$5,500,000. He added that this also assumes a 3% increase in Boswell's fees for 2003 and 2004.

Mr. Cervieri asked that the Mayor and Council be notified in advance of Boswell's reappointment at the end of this year as to what they will be charging for fees for 2003 and 2004.

Mr. Sacks to relay the message to Mr. Boswell.

Mr. Sacks added that he needs a resolution for next week's meeting that authorizes a contract to Boswell McClave for their fees for the project. The resolution must be included in the package that Boswell is submitting on behalf of the Borough.

A resolution awarding a contract to Boswell McClave as per their February 15<sup>th</sup> proposal in the amount of \$580,000 will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

Mr. Sacks stated that Boswell mailed a proposal on February 6<sup>th</sup> to perform the engineering design work for the streetscaping of Palisades Avenue between Angioletti Place and Main Street. The Borough has received an authorization letter awarding it \$150,000 in grant money for the project. A proposal for the inspection costs will be done at a later date.

Ms. Thomas on questioning from Mayor Alter replied that the cost of the project will be paid by bonding.

A resolution authorizing Boswell McClave to perform the design services for Palisade Avenue, Section 3 Streetscape between Angioletti Place and Main Street at a cost of \$44,500 will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

### **Preparation of Updated Tax Maps**

Mr. Sacks spoke to the updating of the tax maps to coincide with the Borough's revaluation. Deeds and metes and bounds descriptions will be updated to December 31, 2002.

Mr. Muhlstock told Mr. Sacks to speak to Tim Leodori, Tax Assessor, about two-family homes approved as condos.

Mr. Sacks replied that Boswell doesn't do engineering for one and two-family homes.

Mr. Muhlstock told Mr. Sacks he should get whatever approvals he needs for the condominiums from Erik Swanson, Building Subcode Official.

A resolution authorizing Boswell McClave to prepare updated tax maps to coincide with the Borough's ongoing revaluation at a cost of \$5,100 (which does not include fees for any deed or title search) will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

### **GENERAL DISCUSSION**

#### **Port-o-Johns on Private Property**

Mr. Meyers stated that the Port-o-Johns are more prevalent in some areas than others. He requested that Mr. Muhlstock research to see if an ordinance can be introduced requiring that the Port-o-Johns be moved further away from the sidewalk and property lines so that they are more hidden from public view when there is on-going construction of new homes.

**Bergen County Register of Historic Places**

Mr. Meyers stated that the Bergen County Division of Cultural and Historical Affairs would like to come to a future work session to present the results of its updated 2001 survey together with a short slide presentation regarding the historic sites presently extant in the Borough.

The Mayor and Council concurred that they could attend the March 21<sup>st</sup> executive session to make their presentation.

Mayor Alter stated that the Borough has been shortchanged with regard to receiving the county portion of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund. The northern part of Bergen County is Republican and that area has received a disproportionate amount of money through the trust fund. The Freeholder Board through an ordinance allocates the monies and the County Executive can override it.

Mr. Meyers suggested that the Palisades Interstate Parkway should get involved. With the amount of parkland they have, the Borough should be getting more county money to continue to keep their parkland as open spaces.

**Tree Ordinance**

There was no discussion on this item.

**Developer's Agreement With Louis Scarvaglione at 246 Myrtle Avenue**

A resolution approving a developer's agreement with Louis Scarvaglione for property located at 246 Myrtle Avenue as prepared by the Borough Attorney will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

**Police Department Computers and Other Related Equipment**

The Police Department has requested to buy computers and various related equipment which is over the bid threshold by requisition through state contract.

There were no objections from the governing body.

Resolutions authorizing the purchase of computers and various related equipment at the approximate cost of \$61,000 for the Police Department will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

**Awarding Bid for a Four-Wheel Drive Vehicle for the Police Department**

A resolution awarding bid to Warnock Automotive, Inc. for the purchase of a four-wheel drive Ford Expedition for the Police Department at a cost of \$31,472 will be placed on the February 28<sup>th</sup> regular meeting proposed consent agenda.

Mr. Cervieri requested that this vehicle be tracked to see what kind of mileage is put on it over the next three years.

**Northern New Jersey Council Boy Scouts of America**

Mayor Alter stated that he met with a representative of the Northern New Jersey Council Boy Scouts of America who thinks that Fort Lee should be supporting as many as thirteen boy scout troops. The Borough has presently six troops. They have requested to come to a Borough meeting to speak about their organization and possibly to request funding.

The Council suggested that if they want to speak to the governing body as a whole that they attend a public meeting and speak during the public participation of the meeting.

**Proposal for Rehabilitation of 540 Main Street**

Mr. Muhlstock stated that this item should be discussed in closed session because it's a contract negotiation.

Mr. Cervieri requested that this item be carried until the next work session so that he can review the proposal.

**Van Fleet Clubhouse (Added on Item)**

Mr. Villano asked Ms. Thomas where the Borough is on this item.

Ms. Thomas stated that she's awaiting photographs from Joe Vaccaro, General Services Director. She indicated that she will follow up on this item tomorrow.

Mr. Villano indicated that he wants this item placed on the next work session agenda.

**PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 28, 2002**

Ord. #2002-5 - Amending Chapter 90, Section 2, - Police Department Formation and Rank

Ord. #2002-6 -Amending Chapter 289, Sections 15-17 - Prohibiting Parking of Commercial Vehicles in Parking Meter Zones on Any Public Street Between 6:00 p.m. and 8:00 a.m.

Ord. #2002-7 - Amend Chapter 388, Sections 27 and 59 - No Left Turn Onto Lemoine Avenue From Whiteman Plaza

Ord. #2002-8 - Amending Ordinance #2001-54 - Chapter 388, Sections 14 and 69, Handicapped Parking Space on First Street

Ord. #2002-9 - Repealing and Replacing Chapter 55 - Entitled "Fire Department"

**RESOLUTION FOR CLOSED SESSION**

**On motion by Councilwoman Voss, seconded by Councilman Cervieri, and approved unanimously,** the meeting moved back into closed session at 8:47 p.m.

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

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

Litigation: Gerald Cardinale vs. Borough of Fort Lee

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 was adjourned **on motion by Councilman Villano, seconded by Councilwoman Voss,** at 8:52 p.m.

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, February 7, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Villano, Voss, Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Borough Clerk's Office  
DPW  
General Services  
Senior Citizens Department  
Tax Collector's Office

Contracts: White and Blue Collar Bargaining Units  
Planning Board Attorney

PC Access for Fire Department  
Synergy Business Solutions

Contracts: Dean Marchetto Architects P.C.

Litigation: Fort Lee vs. Valley National Bank

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**

Rick McGrath, Boswell McClave Engineering representative, was present for the engineering portion of the meeting.

**Traffic Signal at Columbia Avenue/Palisades Avenue**

Mr. Cervieri stated that several months ago Boswell was authorized to contact Bergen County officials to flip the left turn arrow from northbound to southbound at the intersection of Columbia Avenue and Palisades Avenue at the Kensington and Royal Buckingham entrances. No action has been taken yet. He's now been informed that the County is planning to change the entire configuration at that intersection.

Ms. Thomas concurred that Bergen County is talking about changing the signal. They want Mayor Alter to sign a letter stating that there will be no repercussions if Bergen County flips the signal.

Mr. Villano stated that it would be a left turn somewhat similar to that which leads southbound from Palisade Avenue in and out of the Horizon House complex.

Mayor Alter requested that Mr. Muhlstock prepare an appropriate resolution for next week's meeting that will allow him to sign off on any necessary documentation for the left turn from Palisades Avenue at the intersection of Columbia Avenue into Kensington Drive.

**Change Order #1 for Tilcon, New York, Inc. for 2001 Roadway Improvement Program - \$5,269,75**

A resolution approving the first and only change order for

Tilcon, New York, Inc. for the 2001 roadway improvement program for additional as-built quantities at a cost of \$5,269.75 will be placed on the February 14<sup>th</sup> regular meeting proposed consent agenda.

**Advertising for Bids for Installation of New 277/480 Volt Electric Service @ Lower Main Street Pump Station**

Ms. Thomas stated that Tony Lione, DPW/Parks Superintendent has recommended that new electrical service be installed at the lower Main Street pump station.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for new electrical service will be placed on the February 14<sup>th</sup> regular meeting proposed consent agenda.

**GENERAL DISCUSSION**

**Mule Deer Awareness Day**

Mayor Alter stated that he received an e-mail from the editor of the Mule Deer Magazine requesting the Borough support a resolution declaring March 16<sup>th</sup> Mule Deer Awareness day.

Mr. Grant to contact the editor of the magazine to make sure they are a legitimate group and to get a copy of the first and last editions of their magazine.

**DPW Expansion - Tony Lione DPW/Parks Superintendent in Attendance**

Ms. Thomas stated that Mr. Lione, Dan Kingcaid, Joseph Vaccaro and Mike Maresca along with herself have been working together to move this project along.

Mr. Lione stated that Council Members Cervieri and Villano also had input. He thanked the Mayor and Council for having the foresight to acquire a large property. The project will entail utilizing the existing buildings plus adding two new buildings which will include a locker room and a sign shop. Currently, there are no shower facilities available for the DPW employees. A ramp should link the old and the new buildings from the old salt shed. There will be exits off of Ponsi Street and Main Street. The sewers and electric will be run off Ponsi Street. The DPW will do site work. There will be a total of seventeen bays. The facility will run 230 feet long by 70 feet wide. Don Sauvageot from the Communications Department will be moving his

office there also. The Parking Authority will be getting two or three bays and Emergency Management will be using one bay.

Ms. Thomas has budgeted \$1,500,000 for the project, even though the goal is for the price to come in closer to \$1,000,000. Money has been placed in the down payment account to cover the initial cost for bonding of the project. She added that the construction costs will be paid through bonds. A bond ordinance will be introduced at a future regular meeting.

Mr. Villano stated that he came away very impressed when he viewed Cresskill's pre-fabricated DPW building. The group that built it put it up in three months.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for construction of one garage building and two expansion buildings at 540 Main Street for the DPW, Parks and Communications Departments will be placed on the February 14<sup>th</sup> regular meeting proposed consent agenda.

**Van Fleet Clubhouse (Added on Item)**

Ms. Thomas stated that the proposed Van Fleet Clubhouse has two storage bays, one meeting room, and one concession area.

Mayor Alter said that the sports groups said that they needed a meeting room that could seat sixty people.

Mr. Villano told Mayor Alter that the sports groups are happy with the design of the clubhouse.

Ms. Thomas estimated the cost to be \$150,000. The outside of the clubhouse will look like it has siding on it.

Messrs. Alter and Cervieri both asked for diagrams for the proposed clubhouse.

Mr. Cervieri stated that the Beautification Committee should have some input on the look of the clubhouse.

Mr. Meyers said that he would like to see a wood-like facility for the clubhouse.

**Fort Lee Vietnam/Korean War Memorial**

Mr. Lione was present for this portion of the meeting.

Mr. Lione stated that a contractor said they would donate brick pavers, if they can get a letter from Barbara Pastore, school teacher at the Lewis F. Cole Middle School. The DPW can also do some work. The two monuments should be placed so that there is one on each end of Abbott Boulevard, north of Route 5.

**Anderson Point Park**

Mayor Alter suggested that the Borough negotiate immediately with Dean Marchetto, architect on the project, so that the Borough can get bid specifications done as soon as possible.

There might be a need to have a short special meeting before next week's regular meeting to discuss details of Mr. Marchetto's contract. There is no reason to delay unduly what's coming up. The Borough still retains its rights.

Mr. Muhlstock to speak to Mr. Marchetto before next week's meeting to get specific details about the project and his contract.

Mayor Alter left at this point in the meeting at 8:35 p.m.

Ms. Voss chaired the remainder of the meeting from this point forward.

**Crossing Guards/Board of Education**

Mr. Cervieri said that either this year or, if it's too late by next year that the crossing guards that are used by the school system should be paid out of the Board of Education budget. Currently, there are forty-nine paid crossing guards. It's a requirement of the school board and it should come out of the school board's budget.

Ms. Thomas stated that the Police Department runs the program.

Mr. Cervieri replied that it's his belief that all the expense should be borne by the Board of Education.

Mr. Muhlstock said that he will talk to the Borough Auditor to see if other municipalities already do this and if it's allowed.

Mr. Meyers said that with all the money that is going to be spent for the community and the kids at Anderson Point Park,

bearing the cost of the crossing guards by the Board of the Education shouldn't be a major issue.

Mr. Villano feels that this isn't a major issue as all the money regardless of where it comes from is borne by the taxpayers.

**Police Officer at Angioletti Place**

Mr. Cervieri stated that a police officer is not needed at Angioletti Place in the morning. There is virtually no traffic there.

Ms. Thomas to check with the Police Department to see if the police officer now posted at that street can be removed to do other tasks.

**Rent Leveling - Vacancy Decontrol**

There was no discussion on this item.

**Reactivation of Ricochet Network (Aerie Networks, Inc.)**

Mr. Grant explained that Ricochet Networks Inc., a subsidiary of Aerie Networks, Inc., acquired property and certain network assets from Metricom on November 7, 2001. Aerie Networks, Inc. now wishes to move forward with the agreement that the Borough entered into with Metricom.

**New Jersey Emergency Management Association**

Ms. Thomas stated that Cathy Maida and Dr. Joseph C. Napoli received awards from the New Jersey Emergency Management Association.

A resolution or proclamation will be prepared by Mr. Grant for a future meeting so that they can be recognized by the Mayor and Council for the work they have done.

**NFPA Facility Fire Safety Seminar**

Ms. Thomas stated that James Carney, Fire Subcode Official, has requested that he and Chris Radoian of his office attend the NFPA safety seminar in Fort Lauderdale, Florida in June. The cost of the seminar is \$655 per person plus \$158 each for airfare.

They will cover the cost of ground travel and housing.

Mr. Cervieri spoke about the number of days that attendance will be required, as there are two, three and five day options. It was his preference that they attend for three days.

**Safe Kids Playground Grant Agreement With State of NJ**

A resolution authorizing execution of a grant agreement with the State of New Jersey, Department of Community Affairs, for safe kids playgrounds in the Borough will be placed on the February 14<sup>th</sup> regular meeting proposed consent agenda.

**Authorizing Purchase of Three Variable Message Trailers for the Police Department**

Ms. Thomas stated that the Police Department has been leasing the variable message trailers since last September. They now want to buy them because it will be more cost effective.

A resolution authorizing their purchase will be placed on the February 14<sup>th</sup> regular meeting proposed consent agenda. Their cost of \$49,000 will be offset by \$29,000 in monies from the Federal Emergency Management Administration(FEMA). The balance that was leased out towards the purchase came from the Police Department's confiscated funds account.

**Greater Fort Lee Chamber of Commerce Persons of the Year**

The Council agreed to take out a full page advertisement in the Greater Fort Lee Chamber of Commerce directory honoring Steven Monetti and Stephen Napolitano as their persons of the year for 2002.

The \$350.00 cost of the advertisement is paid directly by the Mayor and Council, Borough Administrator, Borough Clerk and Borough Attorney.

**Fort Lee Rotary Club Person of the Year**

The council also agreed to take out an inside cover in the Fort Lee Rotary Club journal honoring Lillian Ciufu as its person of the year for 2001-2002.

The \$150.00 cost of the advertisement is paid directly by the Mayor and Council, Borough Administrator, Borough Clerk and Borough Attorney.

**Bergen County Division of Historic Affairs (Added on Item)**

Mr. Meyers requested that a member of the Bergen County Division of Historic Affairs be invited to a future work session to discuss their registered historic sites and available funding for projects that the Borough might get involved in.

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

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Neil Grant, RMC  
Borough Clerk

**EXECUTIVE SESSION**

**MAYOR AND COUNCIL**

**Thursday, January 17, 2002**

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky,  
Goldberg, Voss, Cervieri

ABSENT: Councilman Villano

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Maryanne Sutera, Mayor's Secretary  
Steve Muhlstock, Borough Attorney

**MAYOR'S STATEMENT**

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

1. On January 3, 2002, 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 4, 2002, a copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, and PALISADIAN and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2002 to cover the cost of providing notice.

**RESOLUTION FOR CLOSED SESSION**

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

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

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

Personnel: Police Department  
Police Communications Department  
Building Department  
DPW  
Municipal Court

Extension of Federspiel Street  
Helmsley Tract/Blighted Area

Longswamp Property  
Steel Structure @ 175 Bridge Plaza North  
Calgi Contract

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

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

**ENGINEERING DISCUSSION**

**New Development - Mausoleum at Madonna Cemetery**

Carmine Alampi, Esq., representing the Church of the Madonna, Frank Raimondo, construction consultant and Daniel Barteluca, Madonna Church architect, were present for this portion of the meeting.

Council members Cervieri and Goldberg recused themselves on this matter and left the conference room for this portion of the meeting.

Mr. Alampi said that mausoleums are exempt from local authorities. The Department of Community Affairs reviews applications. Because it's a significant building, he wanted to make the Mayor and Council aware of what's being built.

Mr. Alampi stated that Madonna has owned and maintained the church on the hill since the turn of the century. Thirty years ago the original mausoleum was built. It's now 80% filled to capacity and soon to become obsolete. The church and mausoleum are in Fort Lee. There is no room for cemetery expansion. The State regulates cemeteries. The Planning Board, Board of Adjustment and Mayor and Council have limited capacity. The only ordinance Fort Lee has states that there should be no grave within ten feet of a roadway. Mausoleums are exempt from local jurisdiction. The State reviews plans and authorizes the Construction Official to oversee permits. He appeared in front of the Leonia Planning Board in late December. They have site jurisdiction over the ancillary building. He showed photos of the existing building that was expanded but that's going to be demolished. He showed photos of the staging area that is in Leonia that's going to be regraded. Mr. Barteluca presented illustrations of the proposed mausoleum which is going to be five stories high.

Mr. Alampi added that parking will be close to the mausoleum. The design has been made for more private settings

for families which is currently not the case.

Mayor Alter asked what jurisdiction does the Borough has.

Mr. Alampi replied that the Borough only controls set-backs and height of the structure. He added that the Cemetery Act exempts residential zones with regard to height.

Mayor Alter asked is there a height regulation.

Mr. Muhlstock responded that more research is needed with regard to the height of the building.

Mr. Alampi stated that he is scheduled to be in front of the Leonia Planning Board again next week for review. The plan anticipates the next thirty to forty years of activity for the church.

Ms. Voss asked about dimensions of the mausoleum.

Mr. Barteluce explained that the new footprint is actually smaller than the old mausoleum. The design of the building is comparable with that of a gothic church.

Mr. Muhlstock asked how high the mausoleum is from ground level.

Mr. Alampi answered that it's approximately 83 feet from the ground up. He recognized that there are residential properties behind the property. The mausoleum won't encroach on houses. It will just be built higher.

**Proposal for Anderson Avenue Drainage By-Pass**

Elliot Sachs, Boswell McClave Engineering, was present for the engineering discussion of the meeting.

Mr. Sacks explained that the purpose of the project is to divert runoff from Anderson Avenue and send it westerly down Columbia Avenue into the existing pipe at the intersection of Harvard Place and Columbia Avenue.

Mr. Cervieri expressed concerns about possible cost overruns on this project.

Mr. Thomas replied that Bergen County is working with the Borough on the project.

A resolution awarding contract to Boswell McClave for engineering services for the Anderson and Columbia Avenue drainage by-pass project at a cost of \$19,400 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Advertising for Bids for CMD-AD Series Channel Monster Electric Grinder for Bluff Road Pump Station**

A resolution authorizing the Purchasing Consultant to obtain specifications and advertise for bids for the above item will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**New Jersey Environmental Infrastructure Financing Program Application**

Ms. Thomas stated that an application needs to be approved authorizing the Borough to apply for \$4,000,000 in low interest loans for the separation of its sewers.

A resolution applying for a loan from the New Jersey Environmental Infrastructure Financing Program will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Fresh Creek Technologies Contract - Maintenance of Netting Trash Trap at Bluff Road**

A resolution awarding a contract to Fresh Creek Technologies, Inc., Cedar Grove, NJ to continue operational and maintenance services with regard to the floatables collection system at the Bluff Road Pump Station at a cost of \$12,375 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Nextel Proposal for Placement of Radio Communication Site at 540 Main Street**

Ms. Thomas explained that Nextel is looking to hook into the Borough's existing structure at 540 Main Street so that they could supply clearer cell phone service in the Borough. There are a couple of blank spots in the Borough. Nextel is looking to pay the Borough \$1,500 a month for use of 540 Main Street as a radio communication site.

**AT&T Antenna on Former ShopRite Property (Added on Item)**

Mr. Muhlstock stated that the Borough does not have an agreement with AT&T for an alternate Borough site. They have been notified by letter three times that when the Borough redevelops the former ShopRite property, they will have to leave.

**Streetscaping Requirements - Coytesville**

Steve Monetti, Executive Director of the Parking Authority, was present for this portion of the meeting.

Mr. Meyers stated that the 7-Eleven in Coytesville did their streetscaping opposite of the Borough's streetscaping ordinance. He wants to see a uniform streetscape.

Mr. Monetti explained that the 7-Eleven owner did not go over the existing ten foot easement, and therefore the streetscaping was done on his private property.

Mr. Cervieri responded that if the owners replace more than 15% of their sidewalk, they are obligated to adhere to the Borough's streetscape ordinance.

Mr. Muhlstock to look into the matter to see if the 7-Eleven owner is obligated to tear the new sidewalk out.

Mr. Muhlstock to review the current ordinance to see if it should be updated so that the streetscaping would begin right at the property line.

**GENERAL DISCUSSION**

**Parking of Tractor Trailers on State Roadways**

Thomas Tessaro, Police Chief, and Mr. Monetti were present for this portion of the meeting.

Mr. Meyers expressed his concerns over the lack of enforcement capabilities regarding tractor trailers parking at Borough meters on Route 9W, which is a state road, without penalty.

Mr. Monetti stated that an ordinance should be introduced which would prohibit the parking of commercial vehicles at parking meters from 6:00 p.m. to 8:00 a.m.

Mr. Muhlstock to prepare an ordinance for introduction at the February 14<sup>th</sup> regular meeting.

**Borough-Wide Traffic Analysis**

A resolution awarding a contract to Schoor DePalma, Manalapan, NJ to conduct a comprehensive municipality-wide traffic analysis at a fee not to exceed \$112,000 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda. This incorporates the first two phases of a three phase project.

**East/West vs. Borough of Fort Lee**

Mayor Alter answered correspondence received from Century Towers and River Ridge attorneys. They were not happy with Mr. Muhlstock's original response with regard to what the Borough was doing with traffic safety issues at those complexes. Mayor Alter assured the Council that he has not agreed to anything with either cooperative with regard to the East/West project.

Mr. Meyers stated that he spoke to Bernard Solomon, President of the Fort Lee Condo-Coop Association, representing many cooperatives in the Borough, and Mr. Solomon told him that he wants to see the traffic study done as soon as possible.

Mr. Meyers told Mr. Solomon that the study is not just being done for his section of the town. It impacts the entire town.

**Green Acres**

Mayor Alter stated that this could be an issue at the January 24<sup>th</sup> meeting with regard to the park and recreation facility. The Borough could receive up to \$200,000 in Green Acres grants and \$500,000 in low interest loans to build the facility, but as soon as money is taken from the State it becomes a public facility, and the Borough loses a certain control. The Borough is not eligible for more grants because of its economic vitality.

**Time Warner Cable Franchise**

Mayor Alter spoke to Time Warner Cable's current contract with the Borough. He said that they owe the Borough another public access channel.

He asked Mr. Muhlstock to review Time Warner's current contract and to make sure that if and when the next contract is executed that the Borough receives the additional public access channel it's supposed to have.

**Reimbursement of Towing Fees**

Mayor Alter stated that he received a request from a resident who wants to be reimbursed for towing fees that he was assessed because he had parked longer than the 48 hours allowed by the Borough's residential parking ordinance. The resident could not get back to the United States from Israel because of the September 11<sup>th</sup> terrorist attacks.

The governing body concurred that his towing fees should not be reimbursed by the Borough. The governing body concluded that it would set a bad precedent if his fees were reimbursed.

**Runaway Film Production**

Mr. Meyers requested that a resolution be endorsed that has passed the United States House of Representatives that would provide incentive to keep movie and television production in the United States.

The Mayor and Council had no objections to Mr. Meyers' request. A resolution endorsing House of Representative Bill 3131 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Bulk Requirements**

Mr. Meyers asked to be placed on the Master Plan Review Committee.

Mayor Alter placed Mr. Meyers on the committee.

Mr. Meyers requested that the Building Department review its permits to see which homes have been impacted by Ordinance #2000-45.

He spoke to a home on Seventh Street that was given a variance by the Board of Adjustment because it was topographically unique. He stated that this puts a hole in the ordinance that was adopted. Every property can be considered topographically unique.

He requested that architect James Virgona be brought in to a Mayor and Council work session to see how the ordinance that he recommended in 2000 can be made better.

Mayor Alter responded that Mr. Virgona can speak to the Master Plan Review Committee, who can then make their

recommendation through the Planning Board for any proposed changes to the zoning code.

**Crossing Guards/Board of Education**

Mr. Cervieri requested that this item be brought back for discussion at the February 7<sup>th</sup> executive session.

**Amendments to Fire Department Ordinance**

Mr. Muhlstock stated that he has worked with former Fire Chief Mike DeGidio to amend the Fire Department ordinance.

An amended Fire Department ordinance will be introduced at the February 14<sup>th</sup> regular meeting.

**Bergen County Employees Assistance Program Contract**

The Bergen County Employees Assistance Program offers assistance to Borough employees having personal problems, including alcoholism.

A resolution authorizing a professional service agreement with the Bergen County Employees Assistance Program at a cost of \$20.00 per employee will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Advertise for Bids for Message Trailers for Police Department**

A resolution authorizing the Purchasing Consultant to advertise for bids for three message trailers for the Police Department will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Advertise for Bids for Ford Expedition - Police Department**

A resolution authorizing the Purchasing Consultant to advertise for bids for a Ford Expedition for the Police Department will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

Ms. Thomas stated that this is a capital purchase.

**Purchase of Van for Fire Prevention Bureau**

The purchase of a van for the Fire Prevention Bureau is under the bid threshold. A requisition for the purchase will be done by the Purchasing Consultant.

**Awarding Bid for Four Wheel Drive Pickup Truck With Snow Plow for General Services**

A resolution awarding bid to Beyer Brothers Corp., Fairview, NJ for a four wheel drive pickup truck with snowplow for General Services at a cost of \$29,483.61 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Protective Consultants International - Protection Assessment Assistance**

Ms. Thomas stated that Protective Consultants International will come in and assess the Borough's vulnerabilities and will formulate a preparedness plan in case of another event such as that which occurred on September 11, 2001.

Mr. Cervieri added that this would be a good checks and balance system for the Borough in light of what happened on September 11<sup>th</sup>.

A resolution awarding contract to Protective Consultants, Inc., Mamaroneck, New York at a cost of \$15,000 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Amending Ordinances #2001-54 and 2001-59 - Handicapped Parking and No Parking on First Street**

Mr. Grant explained that technical amendments to correct where signage is supposed to be placed for the above ordinances will be introduced at the February 14<sup>th</sup> regular meeting.

**Endorsing Pedestrian Grant for the Police Department**

A resolution endorsing pedestrian grant reimbursement for the Police Department from the New Jersey Division of Highway Traffic Safety for \$16,000 will be placed on the January 24<sup>th</sup> regular meeting proposed consent.

**PC Access Maintenance Contract**

Ms. Thomas stated that Frank Bersterman has been maintaining the Police Department's computers for a number of years.

Mr. Cervieri responded that the Borough has a very good computer consultant and wanted to know why there is a separate vendor for the police.

Ms. Thomas replied that the police are very secure with Mr. Bersterman and are truly protective of their computer systems and how they run. They want to continue to use him.

A resolution awarding contract to PC Access, Oceanport, NJ for continued maintenance and service of the Police Department's computer system at an annual cost of \$66,500 will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

**Single Issue of General Improvement Bonds**

A resolution authorizing approval for providing for combination of certain issues of general improvement bonds into a single issue of bond or notes aggregating \$18,030,000 in principal amount and providing for their sale will be placed on the January 24<sup>th</sup> regular meeting proposed consent agenda.

Mayor Alter noted that there are call provisions on the bonds.

Mr. Cervieri asked Ms. Thomas to check with Joseph Iannaconi, CFO, to see if any other permanent financing issues that the Borough is using are callable.

**Port Authority Letter (Added on Item)**

Mayor Alter requested the council's permission to write a letter to the Port Authority with regard to occupancy of the vehicles at the George Washington Bridge. He would like to see the GWB have the same restrictions that the Lincoln Tunnel has for non single-occupancy use between the hours of 6:00 a.m. to 10:00 a.m.

Mr. Goldberg was against the Mayor's request. He stated that he would like to see the Lincoln Tunnel restrictions be lifted so that the GWB and Lincoln Tunnel would be on equal terms.

Mr. Meyers feels that the restrictions should end at 63rd Street.

Mr. Cervieri added that it would have an adverse effect on the people of Fort Lee. He is more inclined to eliminate vehicles with three or more axles.

**National Guard**

Mr. Meyers requested that the National Guard be contacted through the Teaneck Armory so that plaques as presented by the Mayor and Council could be given to them for all that they have done for the Borough at a future regularly scheduled meeting of the Mayor and Council.

**PUBLIC HEARINGS SCHEDULED FOR JANUARY 24, 2002**

- Ord. #2002-01-Amending Chapter 90, Section 2, - Police Department Formation and Rank
- Ord. #2002-02-Amending Salary Ordinance #2001-9 - Labor Attorney - \$89,550
- Ord. #2001-03-Authorizing Real Property Tax Relief to The Sephardic Congregation of Fort Lee - Block 3901, Lot 13
- Ord. #2001-04-Amending Chapter 388, Sections 20 and 5 Vehicles and Traffic - One Way Streets: Main Street Eastbound From Bigler to Hudson Terrace and Hudson Terrace Northbound From Main Street to Bridge Plaza South and Parking Prohibited: Hudson Terrace Along the Eastern Curb Line of Hudson Terrace From Main Street to Bridge Plaza South

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Meyers**, at 10:00 p.m.

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Neil Grant, RMC  
Borough Clerk