

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, January 19, 2023 @ 7:00 p.m.**

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

**PRESENT:** Mayor Sokolich, Council Members Sohmer, Yoon, Suh, Drumgoole, Kasofsky, Cervieri

**ALSO PRESENT:** Al Restaino, Borough Administrator  
Evelyn Rosario, Municipal Clerk  
Nadine Drumgoole, Deputy Municipal Clerk  
Brian Chewcaskie, Borough Attorney

**OPEN PUBLIC MEETINGS ACT STATEMENT**

In accordance with Chapter 231, P.L. 1975 adequate notice informing the public of the time and place of this meeting was duly published in the Record, the Jersey Journal and Star Ledger issues of November 28, 2022. Said notice was also posted on the Borough Hall bulletin board and Borough website.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

“Welcome everyone. I have become a new Tik Tok fan, I do not know how this happened but, I go on it now the app is there when I am bored. Interestingly it gives the citizenship test. It is a series of one hundred questions, you need to do better than a certain level in order to pass the test to become a Unites States citizen. One of the questions is, in the pledge of allegiance, to what do you pledge allegiance? Is it freedom, is it civil rights, is it a whole host of other options? But, it is the flag and I found that very interesting that it is our sworn obligation that we salute this flag and we honor and defend our country. It is just a wonderful place and I only bring that up when I look out into the audience and I see New Jersey's best volunteer Fire Department in the State of New Jersey, so give yourselves a round of applause. I guess you were wondering where I was going with that Tik Tok comment but, I go on Tik Tok, and I happen to get the citizen thing. I wanted to thank all of you for being here. I want you to know that you are lead by a governing body that holds your safety in the highest priority, we know what you do each and every day, we know all the calls that you respond to and the active fires that you deal with the lives that you save. And ninety percent of the stories probably do not even make it out there to the public but, you know they really should. We try to report on you as best we can at our public meetings so we can give the public a taste of what it is you do. Even volunteer fireman there is that mundane false alarm you have to go to but, the problem is there are some serious fires in this town and serious circumstances and rescue missions that all the men and women of our department are there within seconds to keep us all safe. So, people talk about what is special about Fort Lee, and do not ask me that question because I will keep you in a room for an hour. One of the topics and one of the first things I say is when you dial 9-11 in the Borough of Fort Lee, you set into motion a series of events that are unlike any other hamlet township, community, city, or borough in the State of New Jersey. You are calling upon incredibly trained, committed, dedicated, educated, smart individuals that are on their way to wherever your crises is to save your life. And a part of those emergency services is our volunteer fire department. The council and I just want you all to know that we are immensely proud and

appreciative of your efforts and to give yourselves a round of applause. I am going to dispense with a mayors report tonight, and we are going to get right into the oaths of office, the changing of the guard of our department. I know that there will be thank you's and expressions of appreciation extended but I always like to at least mention the outgoing chief, Pat Peluso. Pat another wonderful job. I am doing this, I cannot believe it I have started my sixteenth year and during the course of those sixteen years I have been so impressed with the knowledge, commitment, what you need to know and what you do not need to know, and it really makes me proud. And when you serve up here knowing you men and women are out there, it is really cool to be in leadership. I just wanted to extend our appreciation to Pat Peluso, he will be thanked during the course of the night. Pat, thank you. I knew you were special when you came up with the let's drive to kids houses during the pandemic for their birthdays. It is not all saving lives, it is a lot of community service also and for that we are very appreciative. Pat, congratulations on a great run as chief, you leave behind a phenomenal legacy. You have done everything that the chief before you and the chief after you and that is having pledged complete loyalty to your department. Every conversation I have ever had with you, has always been about the safety of your men and women. It was never about any bells and whistles, it was always about safety, having enough scott-packs, needing new trucks and those types of things. I do think your membership should know that. Chief, congratulations. With that I will not bore you any longer with my opening remarks and we are going to get in and presume with the oaths of office."

**FIRE CHIEFS' SWEARING IN CEREMONY (OATHS OF OFFICE)**

Mayor Sokolich administered the Oaths of Office to the newly elected Lieutenants, Captains, Battalion Chief, Deputy Chief and Chief for the Fort Lee Volunteer Fire Department.

Fire Chief Onufrey thanked the Mayor & Council for allowing the Fire Department to take this time to allow the swearing in of the new Officers. He also thanked the new Fire Department Officers.

And at this time, he asked the Mayor to come forward to swear in the 2023 Officers and Chiefs.

The following were sworn in by Mayor Sokolich as Lieutenants:

Fort Lee Volunteer Fire Department

2023 Lieutenants

Company # 1

2<sup>nd</sup> Lt. James Rumi

1<sup>st</sup> Lt. Josh Abascal

Company # 2

2<sup>nd</sup> Lt. Jerell Heriot

1<sup>st</sup> Lt. Joe Rodriguez

Company # 3

2<sup>nd</sup> Lt. Chris Freitag

1<sup>st</sup> Lt. Angel Acosta

Company # 4

2<sup>nd</sup> Lt. Kenneth Richter

1<sup>st</sup> Lt. Anthony Piccinich

The following were sworn in by Mayor Sokolich as Captains:

Fort Lee Volunteer Fire Department

2023 Captains

Company # 1 Captain: Mary Boujotas  
Company # 2 Captain: Michael Contento  
Company # 3 Captain: Alex Acosta  
Company # 4 Captain: Chris Richter

Chief Onufrey: "I would like to call up Battalion Chief for 2023 Sam Ghali. Holding the Bible will be his father, Mike; pinning the Badge will be his girlfriend, Shannon."

Sam Ghali was sworn in as the 2023 Battalion Chief for the Fort Lee Volunteer Fire Department by Mayor Sokolich.

Chief Onufrey: "I would like to call up Deputy Chief for 2023 John T. Klein. Holding the Bible will be his grandchildren Harley, Savannah & Jaxon; pinning the Badge will be his wife Mary."

John T. Klein was sworn in as the 2023 Deputy Chief for the Fort Lee Volunteer Fire Department by Mayor Sokolich.

Chief Klein: "I would like to call up Chief for 2023 Donald Richard Onufrey. Holding the Bible and pinning the badge be his wife, Wendy."

Richard Onufrey was sworn in as the 2023 Chief for the Fort Lee Volunteer Fire Department by Mayor Sokolich.

Chief Onufrey: "I'd like to call up 2022 Chief Patrizio Peluso to the podium. He is going to give us his end of the year report for the year 2022."

**2022 Year End Report**

Outgoing Chief Peluso stated he was honored and humbled to have served as 2022 Chief of the Department. He thanked the Mayor, the Council, company #4 members and everybody for all their continued support. He thanked his parents and his wife, firefighter Dana Peluso. He congratulated and welcomed the incoming Chiefs.

Chief Onufrey, Deputy Chief Klein and Battalion Chief Ghali presented a gift to outgoing Chief Peluso.

**PROCLAMATIONS**

The following proclamation was read by Mayor Sokolich

"Harold Butch Lyons Designated as Honorary Chief  
of the Fort Lee Volunteer Fire Department"

**WHEREAS**, the **Fort Lee Volunteer Fire Department** has been in existence for 134 years and is honoring Harold "Butch" Lyons on this day as Honorary Chief of the Fort Lee Volunteer Fire Department; and,

**WHEREAS**, Harold is a life-long resident of the Borough of Fort Lee, and attended and graduated Fort Lee High School, and joined the Fort Lee Police Department as a Police Officer and was promoted to Police Sergeant in April of 1989 and served until his retirement in August 1, 1993; and,

**WHEREAS**, through this time, Harold had joined the Fort Lee Volunteer Fire Department in 1960 and has served the department and the citizens of the Borough of Fort Lee for 63 years; and,

**WHEREAS**, Harold has served as an Officer, attaining the rank of Captain, in 2010, he was declared an Honorary Chief, which is bestowed on a Fire Department member when he or she has served for 50 years; and,

**WHEREAS**, Harold has also served on many committees during his time with the Fort Lee Fire Department and is also one of the longest serving active members of the Fire Department; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, that we honor and congratulate **Harold "Butch" Lyons** for his many years of dedicated service to the Fort Lee Fire Department and the citizens of the Borough of Fort Lee; and,

**BE IT FURTHER RESOLVED** that a duly authenticated copy of this resolution be signed by the Mayor of Fort Lee and attested by the Borough Clerk and be transmitted to the Fort Lee Volunteer Fire Department.

January 19, 2023

**MARK J. SOKOLICH**

At this point in the meeting Mayor Sokolich requested a brief recess.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, a brief recess was approved and taken at 7:44 P.M.

On motion by Councilman Cervieri, seconded by Councilman Suh, the meeting was reconvened at 7:53 P.M.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the October 27, 2022, Closed and Regular Sessions were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the November 10, 2022, Closed, Work and Regular Sessions were approved.

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried unanimously, the minutes of the December 8, 2022, Closed and Work Sessions were approved.

**INTRODUCTION OF ORDINANCES**

**Ord. 2023-2 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55 ENTITLED "FIRE DEPARTMENT ", SECTION 55-30 ENTITLED "FIRE WATCH PROGRAM" OF THE CODE OF THE BOROUGH OF FORT LEE (Public Hearing February 16, 2023)**

\* Councilman Drumgoole abstained from vote

**Introduced On: January 19, 2023**

**Adopted On:**

Council	Motion	Second	Vote
Sohmer	X		X
Yoon			X
Suh		X	X
Drumgoole			Abstain
Kasofsky			X
Cervieri			X

Council	Motion	Second	Vote
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for February 16, 2023.

**Ord. 2023-3 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261 ENTITLED "LAND USE PROCEDURES ", APPENDIX A ENTITLED "CHECKLISTS FOR DEVELOPMENT APPLICATIONS " OF THE CODE OF THE BOROUGH OF FORT LEE (Public Hearing February 16, 2023)**

Introduced On: January 19, 2023			
Council	Motion	Second	Vote
Sohmer	X		X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky		X	X
Cervieri			X

Adopted On:			
Council	Motion	Second	Vote
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for February 16, 2023.

**ORDINANCE PUBLIC HEARINGS**

**Ord. 2023-1 AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN AND DESIGNATING THE BOROUGH OF FORT LEE TO ACT AS THE REDEVELOPMENT ENTITY FOR THE REDEVELOPMENT PLAN FOR BLOCK 4355, LOTS 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51 & 47 Main Street), AND AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF FORT LEE TO ESTABLISH SPECIFIC DEVELOPMENT REGULATIONS IN THIS AREA**

Mr. Brian Chewkaskie, Borough Attorney stated that due to a revision in the ordinance introduction statement, a republication is required. The below ordinance will be considered at the next regular session meeting.

Introduced On: January 5, 2023			
Council	Motion	Second	Vote
Sohmer			X
Yoon			<b>RECUSED</b>
Suh			X
Drumgoole			X
Kasofsky		X	X
Cervieri	X		X

Tabled On: January 19, 2023			
Council	Motion	Second	Vote
Sohmer			X
Yoon			<b>RECUSED</b>
Suh		X	X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

\*Councilman Yoon Recused and Left the Dais

**WHEREAS**, a redevelopment area designation analysis entitled "Area 12" Area in Need Redevelopment Study for Block 4355, Lots 11-12, 14-16 and 20-23, Borough of Fort Lee, New Jersey prepared by Phillips Preiss Grygiel Leheny Hughes, LLC dated September 9, 2021 was prepared and submitted to the Planning Board; and

**WHEREAS**, the Planning Board recommended to the Governing Body that Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) as more specifically delineated in the redevelopment study prepared by Paul Grygiel of Phillips Preiss Grygiel Leheny Hughes, LLC be determined by the Governing Body to be a redevelopment area; and

**WHEREAS**, the Borough of Fort Lee Governing Body accepted the recommendation of the Planning Board and designated the area an area in need of redevelopment memorialized by Resolution adopted December 9, 2021, which directed the Planning Board to prepare a redevelopment plan which would set standards for construction of buildings and other improvements in the redevelopment area; and

**WHEREAS**, a redevelopment plan has been prepared by Phillips Preiss Grygiel, Leheny Hughes, LLC dated October 18, 2022; and

**WHEREAS**, thereafter a recommendation was made to address the redevelopment of the site and the Redevelopment Plan provides a guide to the development regulations and other standards; and

**WHEREAS**, a Redevelopment Plan was submitted, reviewed and recommended by the Planning Board;

**WHEREAS**, the Redevelopment Area includes Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) on the Tax Map of the Borough of Fort Lee. The area consists of 9 parcels totaling 2.751 acres, is located at the eastern end of downtown Fort Lee and includes two discontinuous portions of a large block between Federspiel Street and Main Street as it turns south. Block 4355, Lots 14, 15 and 16 (“Upper Main”) include the vacated portion of Kaufer Lane and have frontage on Federspiel Street and Main Street. Lot 14 sits on the highest, flattest ground along Federspiel Street which included four vacant structures that have been demolished. The remaining Upper Main parcels include parking lots, wooded areas and lawn. Block 4355, Lots 11-12 and 20-23 (“Lower Main”) lie east of a non-vacated portion of Kaufer Lane with frontage on Main Street and Kaufer Lane. The lots are mostly undeveloped and wooded and previously contained some abandoned and dilapidated buildings which have been demolished. The surrounding area at the eastern edge of downtown, where Main Street turns south and dips downhill becoming River Road is developed with retail stores yielding less frequented levels of pedestrian traffic. Nearby commercial uses include restaurants and person care services, a house of worship, a municipal parking lot, the parking garage of a high-rise residential development and multi-family developments. The area faces the Fort Lee Historic Park. The George Washington Bridge lies a few blocks to the north.

The existing conditions are described as follows:

- Block 4355, Lots 14, 15 and 16 consist of 1.197 acres, including the vacated portion of Kaufer Lane and previously included four vacant structures in poor to very poor condition, which have been demolished, parking lots, wooded areas and lawn.
- Block 4355, Lots 11-12 and 20-23 consist of 1.554 acres lying east of a non-vacated portion of Kaufer Lane. The lots are mostly undeveloped and wooded and previously included some abandoned and dilapidated buildings which have been demolished.

**WHEREAS**, the Upper Main Street Redevelopment Area is located within the C-1B Zone and the Lower Main Street Redevelopment Area is located within the R-7A Zone; and

**WHEREAS**, the Governing Body found it in the best interest of the Borough to allow the development of this property as a non-condemnation area in need of redevelopment.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Fort Lee in accordance with the provisions of N.J.S.A. 40A:12A-1 et seq. as follows:

**Section 1.** Designation of Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) Redevelopment Project on the Tax Map of the Borough of Fort Lee, is hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-6.

**Section 2.** Designation of Redevelopment Entity. Pursuant to the authority granted by N.J.S.A. 40A:12A-4c, the Borough of Fort Lee is hereby designated to exercise the powers of a redevelopment entity for the Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) Redevelopment Project.

**Section 3.** Redevelopment Plan. A Redevelopment Plan dated October 18, 2022, prepared by Phillips Preiss Grygiel Leheny Hughes LLC is incorporated in its entirety herein by reference. The Plan includes the following:

A. The Plan Area is identified for residential inclusionary development in the Borough's Third Round Prospective Need Obligation, redevelopment with affordable residential uses would advance the Borough's affordable housing commitments. The Borough of Fort Lee entered into a settlement agreement with Fair Share Housing Center on January 25, 2021 to resolve its affordable housing litigation, which identifies Upper Main Street (Block 4355, Lots 14, 15 and 16) with a total capacity of 150 family rental units and Lower Main Street (Block 4355, Lots 11, 12, 20-23) with a total capacity of 203 family rental units.

The Redevelopment Plan Area properties are all identified in the 2015 Historic Preservation Element and in Chapter 64, Attachment 1, Schedule A, Designated Historic Districts of the Borough's Ordinance. The purpose of the historic district is to "protect and preserve the archeological artifacts" associated with Monument Park located west of the Redevelopment Area at the intersection of Palisade Avenue, Parker Avenue and Angioletti Place. The plan recommends that "owners of properties within the district should be encouraged to donate to the Borough any Revolutionary War era artifacts that may be found on the property," including during or after construction. If required, the Borough's Historic Preservation Commission shall issue a Certificate of Appropriateness before issuing permits for the demolition, improvement, relocation, exterior change, construction of a new structure or subdivision of a historically designated property.

B. Proposed Land Uses. The proposed development shall be designed so as to:

1. Maximize appropriate land usage;
2. Provide adequate off-street parking;
3. Create an attractive visual environment;
4. Provide other public improvements to carry out the foregoing purposes.

C. Identification of Property and Redevelopment Area. The proposed redevelopment project consists of nine tax parcels known as Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) on the Tax Map of the Borough of Fort Lee.

D. Relationship with Master Plan and Zoning Ordinance.

1. With respect to the proposed land use and building requirements, the redevelopment plan is in conformity with the following provisions of the Borough of Fort Lee Master Plan and Re-Examination Reports:

- a. To expand the tax base to promote the economic well being of Fort Lee and its residents.
- b. To promote safe and efficient circulation.
- c. To promote the full economic potential of the land where commercial development is appropriate.

2. The Land Use Plan of the Master Plan designates the redevelopment area for residential, recreational and commercial land uses. By providing for the redevelopment area in this manner, the use is consistent with the Land Use Plan of the Master Plan.

3. The Governing Body finds that the Redevelopment Plan is either substantially consistent with the master plan or it is designed to effectuate the master plan.

E. Powers of Redevelopment Entity. Subject to the approval of the Mayor and Council, the Borough of Fort Lee may proceed with the acquisition, clearance, redevelopment, planning, reconstruction, renewal and redevelopment of the Block 4355, Lots 14-16 (90-100 Main Street), 11-12 (1636 & 1640 Kaufer Lane), and 20-23 (55, 51, 47 & 41 Main Street) Redevelopment Project and in order to carry out and effectuate said purposes, the Borough of Fort Lee may:

- a. Acquire or contract to acquire from any person, firm, or corporation, public or private by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in the redevelopment area and in any area designated by the Mayor and Council as necessary for carrying out the relocation of the residents, industry and commerce displaced from the redevelopment zone.
- b. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvement essential to the preparation of sites for use in accordance with the redevelopment plan.
- c. Lease, exchange or convey property or improvements to any such party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with the redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- d. Make, consistent with the redevelopment plan: (1) plans for carrying out a program of voluntary repair and redevelopment of buildings and improvements; and (2) plans for the enforcement of law, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, redevelopment, demolition, or removal of buildings and improvements.
- e. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm, or corporation or to any public agency by sale, lease, or exchange.
- f. Request the Planning Board to recommend pursuant to existing law the designation of additional areas in need of redevelopment or redevelopment and to make recommendations for such redevelopment or redevelopment of such areas.



- g. To study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the Borough, blighted areas and blighted factors.
- h. To publish and disseminate information.
- i. To prepare or arrange by contract for the provisions of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of the redevelopment project.
- j. To arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or development work, on any part thereof, to provide as part of any such arrangement or contract for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and to arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area.
- k. To arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of the redevelopment area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas.
- l. To enter upon any building or property in the redevelopment area in order to conduct investigations or make surveys, soundings, or test borings necessary to carry out the purpose of this ordinance.
- m. To arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from the redevelopment area.
- n. To conduct examinations and investigations, hear testimony and make proof, under oath at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of State, unable to attend, or excused from attendance.
- o. To authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission.
- p. To do all things necessary or convenient to carry out its powers.
- q. To negotiate with redevelopers for the private sale of real property within the redevelopment area; and
- r. To do and perform all powers authorized by Law to carry out the foregoing purposes not otherwise specifically limited herein.

**Section 4 .** Miscellaneous Provisions

A. The Mayor’s Designee is hereby designated to execute and the Borough Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the Borough Council.

**Section 5.** The Zoning Ordinance of the Borough of Fort Lee is hereby amended and supplemented to implement to establish an overlay zone pursuant to the Redevelopment Plan, incorporated herein and attached hereto.

**Section 6.** The Borough Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

**Section 7.** Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

**Section 8.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 9.** This ordinance shall take effect immediately upon publication and final passage according to law.

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Sohmer, seconded by Councilman Cervieri** the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-20.

Council	Motion	Second	Yes	No	Abstain	Absent
Sohmer	X					
Yoon						
Suh		X				
Drumgoole						
Kasofsky						
Cervieri						

January 19, 2023 Regular Session Meeting  Resolution # CA-1 to CA-20  Carried: ___ Defeated: ___ Tabled: ___  Approved on Consent Agenda: <u>X</u>
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**CA-1 Authorizing the Award of a Contract to North Jersey Friendship House for the Provision of Janitorial Maintenance Services, Not to Exceed \$195,345.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT WITH NORTH JERSEY FRIENDSHIP HOUSE, INC. FOR THE PROVISION OF JANITORIAL MAINTENANCE SERVICES**

**WHEREAS**, there exists a need for the Borough of Fort Lee (“Borough”) to procure janitorial maintenance services at Borough Hall, the Police Department, the Youth Center, the Ambulance Building, the Parking Authority, the Building Department, and the Department of Recreation; and

**WHEREAS**, the North Jersey Friendship House, Inc. has submitted a proposal, dated October 11, 2022, a copy of which is attached hereto, setting forth the janitorial maintenance services to be provided and the compensation for the provision of the services, and has indicated that it will provide the services required as specified for the Borough at the rates and terms specified in the proposal; and

**WHEREAS**, the provision of janitorial maintenance services by the North Jersey

Friendship House, Inc. entail “the purchase of any goods or services by persons with disabilities employed by a sheltered workshop,” pursuant to and in accordance with Section 5 of the Local Public Contracts Law, N.J.S.A. 40A:11-5(n); and

**WHEREAS**, this contract may be awarded without competitive bidding as a recognized exception, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, the cost of the services to be provided by the North Jersey Friendship House, Inc. for a term of one year is \$195,345.00, which amount exceeds the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, although the receipt of a proposal from the North Jersey Friendship House, Inc. to provide janitorial maintenance services was pursuant to a non-fair and open process in accordance with the provisions of New Jersey Local Unit Pay-To-Play Law, the contract award is not subject to the New Jersey Local Unit Pay-to-Play Law as the North Jersey Friendship House does not constitute a “business entity” due to its status as a not-for-profit entity; and

**WHEREAS**, the Mayor and Council of the Borough desire to award a contract to the North Jersey Friendship House, Inc. for the provision of janitorial maintenance services in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Chief Financial Officer of the Borough has certified, in writing, that funds are available for this purpose from account 3-01-20-1002-165, not to exceed \$195,345.00 said certification being attached this resolution; and

**WHEREAS**, the award and authorization to execute a contract for the provision of janitorial maintenance services is necessary for the continued efficient operation of the Borough; and

**WHEREAS**, the award and authorization to execute a contract with the North Jersey Friendship House, Inc. for the provision of janitorial maintenance services is in the best interests of the Borough and its citizens;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That Borough hereby awards a contract to the North Jersey Friendship House, Inc. in the amount of \$195,345.00 for a term of one year for the provision of janitorial maintenance services at Borough Hall, the Police Department, the Youth Center, the Ambulance Building, the Parking Authority, the Building Department, and the Department of Recreation.
2. That this contract is awarded without competitive bidding as a recognized exception because it entails “the purchase of any goods or services by persons with disabilities employed by a sheltered workshop,” pursuant to and in accordance with Section 5 of the Local Public Contracts Law, N.J.S.A. 40A:11-5(n).
3. That the Mayor is hereby authorized to execute a contract with the North Jersey Friendship House, Inc. for the provision of janitorial maintenance services.
4. That the proposal, this Resolution, and the contract for the provision of janitorial maintenance services shall be available for public inspection in the Borough Clerk’s Office.
5. That the Borough Clerk shall advertise the award of the contract in a newspaper as may be required by law.
6. That no further action of the Borough shall be required

**CA-2 Approving New Jersey State Firemen 's Association Membership Application for Dylan D. Wright, Fire Company #3, Firefighter Auxiliary Application for Alan Lee, Fire Company #2 and Firefighter Auxiliary Application for Andrew Plotnikov, Fire Company #3**

The New Jersey Firemen's Association Membership Application for Dylan D. Wright, Fire Company #3, Firefighter Auxiliary Application for Alan Lee, Fire Company #2 and Firefighter Auxiliary Application for Andrew Plotnikov, Fire Company #3 were approved.

**CA-3 Accepting Retirement Notice of Mark Anderson, Supervisor of the Parks Department, Effective March 31, 2023**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT NOTICE OF MARK ANDERSON, SUPERVISOR OF THE PARKS DEPARTMENT**

**BE IT RESOLVED** that Mark Anderson, Supervisor of the Parks Department has submitted his retirement notice dated January 3, 2023 and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Mark Anderson's retirement will be **effective March 31, 2023** with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Mr. Anderson.

**CA-4 Authorizing Katie Manger to Serve as a Representative for the Borough 's Sustainable Jersey Efforts, \$5,000.00 Annual Payment**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING MS. KATIE MANGER TO SERVE AS SUSTAINALBE JERSEY REPRESENTATIVE**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee acknowledge the importance of continuing its sustainable initiatives; and

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee acknowledges that we would not see the long-term benefit of our sustainable initiatives without committed partners; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that Ms. Katie Manger shall serve as a representative for our Sustainable Jersey efforts; and

**BE IT FURTHER RESOLVED** that Ms. Manger is hereby authorized to receive a \$5,000 annual payment for these responsibilities.

**CA-5 Accepting Resignation Notice of Erick Vidal, Public Safety Trainee of the Police Department Communications Center, Effective Retroactively to December 29, 2022**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RESIGNATION NOTICE OF ERICK VIDAL**

**BE IT RESOLVED** that Erick Vidal, Public Safety Telecommunicator Trainee of the Fort Lee Police Department Communications Center has submitted his resignation notice dated January 2, 2023, and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Mr. Vidal's resignation will be **effective retroactive to**

December 29, 2022 with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Mr. Vidal.

**CA-6 Accepting Retirement Notice of Daniel Zusi, Deputy Chief of Police, Effective March 1, 2023**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT NOTICE OF DEPUTY CHIEF OF POLICE DANIEL ZUSI**

**BE IT RESOLVED** that **Daniel Zusi, Deputy Chief of Police** of the **Fort Lee Police Department** has submitted his retirement notice dated January 3, 2023 and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Deputy Chief of Police Daniel Zusi's retirement will be effective **March 1, 2023** with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Mr. Zusi.

**CA-7 Authorizing a Title Change and Salary Adjustment for Melissa Gallo, Police Department, Effective Retroactively to January 1, 2023, \$42,425.00 Annual Salary**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING A TITLE CHANGE AND SALARY ADJUSTMENT FOR MS. MELISSA GALLO IN THE POLICE DEPARTMENT**

**WHEREAS**, the Mayor and Council have authorized a title change and salary adjustment for the following employee:

<b>Name</b>	<b>Current Title</b>	<b>New Title</b>	<b>New Salary</b>	<b>Effective Date</b>
Melissa Gallo	Keyboarding Clerk 1	Keyboarding Clerk 2	\$42,425	1/1/2023

**NOW THEREFORE, BE IT RESOLVED** that the above listed new salary and new title associated with said employee shall be effective in accordance with the above table.

**BE IT FURTHER RESOLVED** that this appointment shall be provisional pending certification from the New Jersey Civil Service Commission.

**CA-8 Authorizing the Appointment of Peter Lupo as Veterans Service Officer for the Borough of Fort Lee, Effective February 1, 2023, \$15.00 hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPOINTING MR. PETER LUPO AS VETERANS SERVICE OFFICER FOR THE BOROUGH OF FORT LEE**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee recognize the significant contributions made by its many resident veterans; and

**WHEREAS**, the Mayor and Council acknowledge the need to provide a conduit for our resident veterans, their families, and dependents to access benefits earned through honorable active duty in the U.S Military, and to provide guidance and assistance for veteran's needs and benefits; and

**WHEREAS**, the Mayor and Council have determined that it would be prudent to hire a Veterans Service Officer to ensure our resident veterans have access to these services; and

**WHEREAS**, Mr. Peter Lupo meets the qualifications and has agreed to perform the duties of this position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee, that Mr. Peter Lupo be appointed as part-time **Veterans Service Officer** for the Borough of Fort Lee,

**BE IT FURTHER RESOLVED**, that this appointment shall be effective February 1, 2023 at a salary of \$15.00 per hour, with an annual salary not to exceed \$15,000, without benefits and working hours as needed.

**CA-9 Approving a Used Car Lot License to Gadi Ben Hamo of Motors Vans, LLC, 1696 Bergen Blvd, Effective January 20, 2023, Through December 31, 2023**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A USED CAR LOT LICENSE TO MR. GADI BEN HAMO OWNER OF "MOTORS VANS, LLC "**

**WHEREAS**, Mr. Gadi Ben Hamo owner of Motors Vans, LLC has submitted an application for the issuance of a used car lot license at the location of 1696 Bergen Blvd: and

**WHEREAS**, supporting documentation and fees relative to the issuance of a used car lot license has been received in accordance with Chapter 289, Article III of the Borough Code; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Fort Lee, does hereby approve the issuance a Used Car Lot license to Gadi Ben Hamo for business entitled Motors Vans, LLC effective January 20, 2023, through December 31, 2023.

**CA-10 Authorizing the Execution of a Services Agreement with Flock Group, Inc. for the Provision of License Plate Detection Through a Technology Platform**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXECUTION OF A SERVICES AGREEMENT WITH FLOCK GROUP, INC.**

**WHEREAS**, Flock Group, Inc. ("Flock") offers a software and hardware solution for automatic license plate detection through Flock's technology platform (the "Flock Service"), and upon detection, the Flock Service creates images and recordings of suspect vehicles ("Footage") and can provide notifications to the Fort Lee Police Department ("FLPD") upon the instructions of Non- Agency End User ("Notifications");

**WHEREAS**, FLPD desires to purchase, use and/or have installed access to the Flock Service in order to create, view, search and archive Footage and receive Notifications, including those from non-Agency users of the Flock System (where there is an investigative purpose) such as schools, neighborhood homeowners associations, businesses, and individual users;

**WHEREAS**, Flock desires to provide FLPD the Flock Service and any access thereto, subject to the terms and conditions of a certain Government Agency Customer Agreement ("Agreement"), which is attached hereto and incorporated herein as Exhibit A, solely for the purpose of crime awareness and prevention by police departments and archiving for

evidence gathering (“Purpose”); and

**WHEREAS** , the Borough of Fort Lee now desires to enter into the Agreement with Flock.

**NOW THEREFORE, BE IT RESOLVED** , by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That the Mayor shall be and is hereby authorized to execute the Agreement between the Borough and Flock in substantially similar form to the Agreement which is attached hereto and incorporated herein as Exhibit A.

2. That this Resolution and the Agreement are available for public inspection in the Borough Clerk’s office.

**CA-11 Authorizing the Renewal of Various Towing Licenses for the January 1, 2023, Through December 31, 2023, Licensing Period**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF VARIOUS TOWING LICENSES FOR THE JANUARY 1, 2023 - DECEMBER 31, 2023 LICENSING PERIOD**

**BE IT RESOLVED** , by Governing Body of the Borough of Fort Lee that the following towing licenses are hereby renewed for the January 1, 2023 - December 31, 2023 licensing year.

1. **ABC Towing**  
1580 Bergen Boulevard  
Fort Lee, NJ 07024
2. **Apex Auto**  
1490 Bergen Boulevard  
Fort Lee, NJ 07024
3. **Sano’s Broadview Corp.**  
344 Bergen Boulevard  
Palisades Park, NJ 07650

**CA-12 Authorizing the Renewal of Various Municipal Licenses for the January 1, 2023, Through December 31, 2023, Licensing Period**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF VARIOUS MUNICIPAL LICENSES FOR THE JANUARY 1, 2023 - DECEMBER 31, 2023 LICENSING PERIOD**

**BE IT RESOLVED** , by Governing Body of the Borough of Fort Lee that the following municipal licenses are hereby renewed for the January 1, 2023 December 31, 2023, licensing year.

LICENSE	CHAPTER	VENDOR
CLOTHING BINS	Chapter 189	
LIMOUSINES	Chapter 372, Article II	<b>SS Smile Limo LLC</b>
TAXI	Chapter 372, Article I	
MOTELS/HOTEL	Chapter 377	

SERVICE/GAS STATION	Chapter 333	
USED CAR LOTS	Chapter 289, Article III	<b>SK Motors Inc</b>
VENDING	Chapter 190	<b>Plaza Laundry LLC</b> <b>Mediterranean Towers West</b>
THEATER	Chapter 134-8 (B)	

**CA-13 Accepting a Grant from the County of Bergen Division of Community Development for Project Known as 10<sup>th</sup> Street Improvements, \$95,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING A GRANT FROM THE COUNTY OF BERGEN DIVISION OF COMMUNITY DEVELOPMENT IN THE AMOUNT OF \$95,000 FOR 10<sup>th</sup> STREET IMPROVEMENTS**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$95,000 in Community Development Block Grant funds for rehabilitation of 10<sup>TH</sup> Street; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby authorizes Mayor Mark J. Sokolich be a signatory to the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Borough Administrator Alfred R. Restaino to sign all County Vouchers submitted in connection with the aforesaid Catherine Street project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council recognizes that the Borough of Fort Lee is liable for any funds it spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**BE IT FURTHER RESOLVED**, that upon execution of the Grant Agreement, this resolution and the agreement between the parties shall be available for public inspection in the Office of the Borough Clerk.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**CA-14 Authorizing the Award of a Contract to Boswell Engineering for the Provision of Engineering Services for Project Known as Roof and Window Replacement for the Fort Lee Ambulance Corp Building, Not to Exceed \$16,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO BOSWELL ENGINEERING FOR PROJECT KNOWN AS ROOF AND WINDOW REPLACEMENT FOR THE FORT LEE AMBULANCE CORP BUILDING**

**WHEREAS**, there exists a need for the Borough of Fort Lee (“Borough”) to retain the services of a licensed engineer to provide engineering services for project known as Roof and Window Replacement for the Fort Lee Ambulance Corp Building; and

**WHEREAS**, said services are recognized as “professional services” as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized



instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

**WHEREAS**, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

**WHEREAS**, the Borough wishes to retain the services of Boswell Engineering to perform such professional engineer services in accordance with its proposal, dated December 12, 2022 attached hereto; and

**WHEREAS**, Boswell Engineering possesses the requisite expertise and skilled personnel required to provide inspection services for project known as Roof and Window Replacement for the Fort Lee Ambulance Corp Building; and

**WHEREAS**, the Mayor and Council of the Borough are desirous of awarding a contract for professional engineering services to Boswell Engineering in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

**WHEREAS**, pursuant to Resolution R-10, duly adopted by the Borough on January 5, 2023, Boswell Engineering was awarded a contract pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq. to serve as Borough Engineer; and

**WHEREAS**, the professional engineering services for this project will be performed by Boswell Engineering at a cost not-to-exceed \$16,000.00, and the contract for such professional engineering services is awarded pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available for this purpose from account number C-04-55-1809-001, not to exceed \$16,000.00 said certification being attached to this resolution.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That Boswell Engineering shall be and is hereby appointed to provide professional engineering services regarding engineering services for project known as Roof and Window Replacement for the Fort Lee Ambulance Corp Building in accordance with its proposal, dated December 12, 2022, attached hereto and made a part hereof, for a cost not-to-exceed \$16,000.00.

2. That a notice of the contract award shall be published as may be required by law, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

**CA-15 Authorizing the Award of a Contract to Boswell Engineering for the Provision of Engineering Services for the Design of the proposed Main Street Park, Not to Exceed \$40,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO BOSWELL ENGINEERING FOR THE DESIGN OF PROPOSED MAIN STREET PARK**

**WHEREAS**, there exists a need for the Borough of Fort Lee (“Borough”) to retain the

services of a licensed engineer to provide engineering services for the design of the proposed Main Street Park; and

**WHEREAS**, said services are recognized as “professional services” as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

**WHEREAS**, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

**WHEREAS**, the Borough wishes to retain the services of Boswell Engineering to perform such professional engineer services in accordance with its proposal, dated December 19, 2022 attached hereto; and

**WHEREAS**, Boswell Engineering possesses the requisite expertise and skilled personnel required to provide inspection services for the design of the proposed Main Street Park; and

**WHEREAS**, the Mayor and Council of the Borough are desirous of awarding a contract for professional engineering services to Boswell Engineering in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

**WHEREAS**, pursuant to Resolution R-10, duly adopted by the Borough on January 5, 2023, Boswell Engineering was awarded a contract pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq. to serve as Borough Engineer; and

**WHEREAS**, the professional engineering services for this project will be performed by Boswell Engineering at a cost not-to-exceed \$40,000.00, and the contract for such professional engineering services is awarded pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available for this purpose from account number C-04-55-2007-001, not to exceed \$40,000.00 said certification being attached to this resolution.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That Boswell Engineering shall be and is hereby appointed to provide professional engineering services regarding engineering services for the design of the proposed Main Street Park in accordance with its proposal, dated December 19, 2022, attached hereto and made a part hereof, for a cost not-to-exceed \$40,000.00.

2. That a notice of the contract award shall be published as may be required by law, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

**CA-16 Authorizing a Shared Services Agreement with the Borough of Edgewater for Lead-Based Paint Inspections**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF EDGEWATER FOR**

## LEAD-BASED PAINT INSPECTIONS

**WHEREAS**, the State of New Jersey adopted P.L. 2021, c. 182 with promulgated rules of N.J.A.C. 5:28A which went into effect on July 22, 2022 which requires all rental dwellings be inspected for lead-based paint within two (2) years of July 22, 2022; and

**WHEREAS**, the Borough of Edgewater has been unable to secure the necessary lead-based paint inspector training through Rutgers University; and

**WHEREAS**, it is recommended by Fire Official Steven Curry that a shared service agreement with the Borough of Edgewater be entered into for lead-based paint inspections, which will be invoiced regularly by the Finance Department at the necessary rate of pay; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the shared service agreement for lead-based paint inspections be entered into with the Borough of Edgewater for the period of one year with the ability to renew for one additional, consecutive year.

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

1. That entry into the Shared Services Agreement with Borough of Edgewater, upon terms substantially similar to the agreement attached hereto, pursuant to and in accordance with the Uniform Shared Services and Consolidation Act, is hereby authorized.
2. That the Borough Administrator is hereby authorized to execute an agreement between the Borough and the Borough of Edgewater, in substantially the same form as that attached hereto, or with such minor revisions as may be necessary by the Borough Attorney, for the provision of the required services.
3. That upon execution of the shared services agreement, this resolution and the agreement between the parties shall be available for public inspection in the Office of the Borough Clerk.
4. That no further action of the Mayor and Council shall be required.

**CA-17 Authorizing Change Order No. 1 to the Contract with D.L.S. Contracting, Inc. for Project Known as Improvements to Bluff Road, Net \$637.39**

### **RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT FOR PROJECT KNOWN AS IMPROVEMENTS TO BLUFF ROAD**

**WHEREAS**, on July 7, 2022, the Governing Body of the Borough of Fort Lee authorized the award of a contract to D.L.S Contracting, Inc. ("D.L.S.") in the amount of \$204,150.40 for Improvement to Bluff Road; and

**WHEREAS**, "D.L.S." has submitted a change order reflecting an increase to the contract in the amount of \$50,231.76 and a decrease in the amount of \$50,869.15 (Net - \$637.39) due to adjustments to the quantities of the materials used for said project resulting in an adjusted contract in the amount of \$203,513.01; and

**WHEREAS**, Boswell Engineering has reviewed and recommended the change order as submitted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Fort Lee that said change order be and is hereby approved.

**CA-18 Approving a Request to Permit the 3<sup>rd</sup> Annual Easter Egg Hunt on April 8, 2023, at the Fort Lee Jack Alter Community Center**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST TO PERMIT THE 3<sup>rd</sup> ANNUAL EASTER EGG HUNT**

**WHEREAS**, the Borough of Fort Lee received a request on January 9, 2023 seeking approval to hold the 3rd Annual Easter Egg Hunt; and

**WHEREAS**, the 3rd Annual Easter Egg Hunt is scheduled for Saturday, April 8, 2023; and

**WHEREAS**, the 3rd Annual Easter Egg Hunt will be held at the Jack Alter Community Center, located at 1355 Inwood Terrace; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee, grants permission for the 3rd Annual Easter Egg Hunt on Saturday, April 8, 2023.

**CA-19 Authorizing Appointments to the Fort Lee Emergency Management Council**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING APPOINTMENTS TO THE FORT LEE EMERGENCY MANAGEMENT COUNCIL**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that in furtherance of the Borough’s continuing policy to reorganize and upgrade its emergency services, to streamline the operations thereof and to promote efficient interdepartmental cooperation, the following appointments to the Emergency Management Council as required by the New Jersey State Office of Emergency Management are hereby confirmed as recommended by the Emergency Management Coordinator

- |                          |                                       |
|--------------------------|---------------------------------------|
| Christopher M. Richter   | OEM Coordinator                       |
| Charlene Ortiz           | 1 <sup>st</sup> Deputy Coordinator    |
| Elizabeth Bennett        | 2 <sup>nd</sup> Deputy Coordinator    |
| Bert Rosenbluth          | 3 <sup>rd</sup> Deputy Coordinator    |
| Angel Garcia             | 4 <sup>th</sup> Deputy Coordinator    |
| Al Restaino              | Borough Administrator                 |
| Matthew Hintze           | Chief of Police                       |
| Robert Kravitz           | Superintendent of Schools             |
| Hernani Goncalves        | Parking Authority/Transportation      |
| Brian Ribarro            | Building Department                   |
| Patrick Ferrara          | Superintendent of Public Works        |
| Jill Scarpa              | Health Department                     |
| Stephen J. Curry         | Fire Sub-Code Official                |
| Fire Chief               | Chief of Fire Department              |
| Ambulance Corp Chief     | Fort Lee Volunteer Ambulance Corps.   |
| Paul Favia               | Coordinator of EMS Fort Lee Ambulance |
| Current President        | Chamber of Commerce                   |
| Lt. Gabriel Cappola      | Lt. in Charge of Communications       |
| Crissa Skarimbis-Hatcher | Social Services/Shelter Coordinator   |

**CA-20 Enforcing Low-Speed Electric Bicycle or Low-Speed Electric Scooter Regulations in the Borough of Fort Lee**

**RESOLUTION OF THE BOROUGH OF FORT LEE ENFORCING LOW-SPEED ELECTRIC BICYCLE OR LOW-SPEED ELECTRIC SCOOTER REGULATIONS**

**WHEREAS** the Mayor and Council of the Borough of Fort Lee recognize that the safety of all residents, visitors, cyclist and children is of paramount concern, and that low-speed electric bicycles and scooters are increasing in popularity and are used as alternate forms of transportation; and

**WHEREAS**, the New Jersey Legislature recent adopted legislation, including changes to N.J.S.A. 39:1-1 and N.J.S.A. 39:84-14.16 permitting and regulating electric bicycles (“e-bikes\_ and adding new regulations for electric scooters (e-scooters); and

**WHEREAS**, given the intense density and urban character of the Borough, the Mayor and Council believe that a Resolution should be adopted and implemented, pending the formalization of an Ordinance, which will encompass low speed electric bicycles and scooters and the importance of responsible riding and enforcement in light of current legislation, is warranted for the health safety and welfare of its residents including those who operate e-bikes and e-scooters.

**NOW THEREFORE BE IT RESOLVED**, that the Fort Lee Governing Body does hereby adopt the following regulations;

**BE IT FURTHER RESOLVED** that any electric bicycle or electric scooter with an electric motor greater than 750 watts is not to be considered a “low speed” electric bicycle/scooter and shall be effectively prohibited from operation in the Borough of Fort Lee, unless such vehicle is specifically authorized by the Motor Vehicle Statutes of the State of New Jersey and is properly registered and insured and operated by a licensed operator; and

**BE IT FURTHER RESOLVED**, that every person riding a low-speed electric bicycle or low-speed electric scooter upon a municipal or county roadway located within the Borough of Fort Lee, shall be granted all the rights, and shall be subject to all the duties and penalties applicable to the driver of a vehicle under N.J.S.A. Title 39. Specifically, any person operating a low-speed bicycle or low-speed electrical scooter shall obey all State and Municipal traffic control signals, signs, or other control devices applicable to vehicles unless otherwise directed by a police officer; and

**BE IT FURTHER RESOLVED**, that every low-speed electric bicycle and low-speed electric scooter, when used at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front, and with a lamp on the rear which shall emit a red light visible from a distance of at least five hundred feet to the rear. In addition, red reflectors shall be mounted on low-speed electric bicycle or low-speed electric scooter, which shall be visible from all distances from fifty feet to three hundred feet when directly in front of a lawful headlamps of a motor vehicle; and

**BE IT FURTHER RESOLVED** that no person shall operate a low-speed electric bicycle or low-speed electric scooter unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet; and

**BE IT FURTHER RESOLVED**, the person propelling or riding on a low-speed electric bicycle or low-speed electric scooter shall not ride with their feet removed from the pedal/footrests, or with hands removed from the handlebars, nor shall they practice any “trick-riding” or hazardous stunts on any street; and

**BE IT FURTHER RESOLVED**, no person operating a low-speed electric bicycle or low-speed electric scooter shall allow another person to ride as a passenger unless the passenger is carried in proper bike seat, trailer or other accessory that complies with State regulations and the passenger is wearing a properly fitted and fastened helmet meeting the standards set for in N.J.S.A. 39:4-10.1.

**BE IT FURTHER RESOLVED**, that no person riding upon any low-speed electric bicycle or low-speed electric scooter shall attach the same or themselves to any vehicle, bus, or truck on a Municipal or County Roadway, and no operator of any vehicle, bus, or truck operating on any Municipal or County Roadway shall knowingly permit any person riding

upon any low-speed electric bicycle or low-speed electric scooter to hitch themselves in a tow like matter to the vehicle, bus, or truck; and

**BE IT FURTHER RESOLVED**, that all persons operating a low-speed electric bicycle or low-speed electric scooter shall wear helmets pursuant to New Jersey State Statutes; and

**BE IF FURTHER RESOLVED**, no person shall operate a low-speed electric bicycle or low-speed electric scooter shall operate said low-speed electric bicycle or low-speed electric scooter on any municipal sidewalks or pedestrian right-of-way; and

**BE IF FURTHER RESOLVED**, no person shall operate a low-speed electric bicycle or low-speed electric scooter while carrying any package, bundle, container, or article, which prevents the rider from keeping both hands upon the handlebars; and

**BE IF FURTHER RESOLVED**, no person shall operate a low-speed electric bicycle or low-speed electric scooter at speeds that exceed 20 miles per hour (mph); and

**BE IF FURTHER RESOLVED**, no person shall operate a low-speed electric bicycle or low-speed electric scooter in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of other persons or property; and

**BE IT FURTHER RESOLVED**, no person shall, for any reason whatsoever, store, leave, or bring a low-speed electric bicycle or low-speed electric scooter inside any commercial or multi-family buildings, municipal buildings, or residential apartment buildings at any time;

**BE IT FURTHER RESOLVED**, no person shall charge or connect the low-speed electric bicycle or low-speed electric scooter into any electrical power source located within any commercial or multi-family buildings, municipal buildings, or residential apartment buildings at any time;

**BE IF FURTHER RESOLVED**, this Resolution authorizes the Fort Lee Police Department to enforce the Resolution and issue Summonses as contained herein; and

**BE IT FURTHER RESOLVED**, that any violation of this resolution by an operator of a low-speed electric bicycle or low-speed electric scooter shall be considered a separate violation of this resolution by such person; and

**BE IT FURTHER RESOLVED**, that each violation of this Resolution by an operator of a low-speed electric bicycle or low-speed electric scooter, upon first conviction, be liable and penalized in the amount of \$250.00, and upon a second conviction, shall be liable and penalized in the amount of \$500.00, and every other subsequent conviction, the defendant shall be liable and penalized in an amount to be determined by the Magistrate not less than \$500.00 or more than \$1,000.00 per offense;

**BE IT FURTHER RESOLVED**, that upon the issuance of a Summons by the Fort Lee Police Department to a person operating a low-speed electric bicycle or low-speed electric scooter for violation of any regulation contained herein, the Fort Lee Police shall impound the low-speed electric bicycle or low-speed electric scooter and place same in storage, subject to the adjudication of the Regulations contained in this Resolution; and

**BE IT FURTHER RESOLVED**, after a low-speed electric bicycle or low-speed electric scooter is impounded by the Fort Lee Police for violation of any regulation contained herein, while the operator is pending Municipal Court Appearance, the Court may access a storage fee of \$10.00 per day, which fee must be paid concurrently with the imposed penalties. If the operator of a low-speed electric bicycle or low-speed electric scooter is acquitted of all Summonses, the storage fee shall be waived; and

**BE IT FURTHER RESOLVED**, that a certified to be true copy of this Resolution shall be provided to Police Chief Matthew Hintze.

There being no discussion, the public hearing was closed on motion by Councilman Sohmer, seconded by Councilman Cervieri. The Consent Agenda regarding

CA-1 through CA- 20 was approved on the following roll call:

**AYES: Council Members Sohmer, Yoon, Suh, Drumgoole, Kasofsky, Cervieri**

**RESOLUTIONS**

**R-1 Authorizing the Mayor to Execute an Agreement Between the Borough of Fort Lee and the New Jersey Department of Transportation and M&M Bergen, LLC regarding Access to Property Known as 2021 Fletcher Avenue**

Council	Motion	Second	Yes	No	Abstain	Absent
Sohmer			X			
Yoon			X			
Suh			X			
Drumgoole					X	
Kasofsky		X	X			
Cervieri	X		X			

January 19, 2023 Regular Session Meeting  Resolution # R-1  Carried: <u>X</u> Defeated: <u>  </u> Tabled: <u>  </u>  Approved on Consent Agenda: <u>  </u>
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\*Councilman Drumgoole Recused and Left the Dais

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE BOROUGH OF FORT LEE, THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND M&M BERGEN, LLC REGARDING ACCESS TO THE PROPERTY LOCATED AT 2021 FLETCHER AVENUE, FORT LEE, NEW JERSEY**

**WHEREAS**, the New Jersey Department of Transportation (“NJDOT”) has expressed concerns regarding the safety and stability of a retaining wall (“retaining wall”) located at 2021 Fletcher Avenue, Fort Lee, New Jersey, which is designated as Lot 10, Block 4458, on Fort Lee’s Tax Maps, and owned by M&M Bergen, LLC (“M&M”), which lot is adjacent to Fort Lee property, and which Fort Lee property is adjacent to the NJDOT’s Fort Lee Maintenance Yard (“NJDOT Property”).

**WHEREAS**, Fort Lee has approved plans (“plans”) work on the retaining wall and has issued a permit for the work on the retaining wall to proceed; and

**WHEREAS**, the plans are acceptable to the NJDOT and no further changes or comments to said plans are forthcoming from the NJDOT;

**WHEREAS**, the Borough of Fort Lee, the NJDOT and M&M desire to enter into an Agreement setting forth the terms and conditions related to the work on the retaining wall and the access to adjacent properties; and

**WHEREAS**, the Agreement has been negotiated and agreed upon by representatives of the Borough of Fort Lee, NJDOT and M&M and is attached hereto; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee that the Mayor is hereby authorized to execute the attached Agreement between the Borough of Fort Lee, the New Jersey Department of Transportation and M&M Bergen, LLC.

**COUNCIL REPORTS**

**Councilman Sohmer** - He congratulated the incoming 2023 Chiefs, Captains and Lieutenants as well as Harold “Butch” Lyons for his dedicated 63 years of service with the Fire Department. He mentioned the department responded to over 1,900 calls.

He also congratulated Mark Anderson, DPW and Deputy Police Chief Daniel Zusi on their retirements.

**Mayor Sokolich** - He congratulated Mark Anderson, DPW and Deputy Police Chief Daniel Zusi on their retirements.

**Councilman Yoon** - He congratulated the incoming 2023 Chiefs, Captains, and Lieutenants as well as Harold "Butch" Lyons for his dedicated 63 years of service with the Fire Department.

He wished everyone a Happy Lunar New Year and thanked the Fort Lee Library for hosting a wonderful celebration.

**Councilman Suh** - He congratulated the incoming 2023 Chiefs, Captains, and Lieutenants as well as Harold "Butch" Lyons for his dedicated 63 years of service with the Fire Department.

He also congratulated Mark Anderson, DPW and Deputy Police Chief Daniel Zusi on their retirements.

**Councilman Drumgoole** - He congratulated the incoming 2023 Chiefs, Captains, and Lieutenants as well as Harold "Butch" Lyons for his dedicated 63 years of service with the Fire Department. He thanked outgoing Chief Peluso.

He also congratulated Mark Anderson, DPW and Deputy Police Chief Daniel Zusi on their retirements.

He gave an end of year report regarding the Volunteer Ambulance Corp. as well as an update regarding the Office of Emergency Management.

He wished everyone a Happy Lunar New Year and thanked the Community Center for hosting a wonderful celebration.

**Councilwoman Kasofsky** - She congratulated the incoming 2023 Chiefs, Captains, and Lieutenants as well as Harold "Butch" Lyons for his dedicated 63 years of service with the Fire Department.

She also congratulated Mark Anderson, DPW and Deputy Police Chief Daniel Zusi on their retirements.

She wished everyone a Happy Lunar New Year and thanked everyone involved with the celebrations that were well attended with over 1,500 people.

She mentioned the Borough of Fort Lee Shred Event will be held on April 1<sup>st</sup> from 9AM - 1PM at the Recreation Department.

**Councilman Cervieri** - He offered his condolences to the Ford family on the passing of Patricia Ford.

He wished everyone a Happy Lunar New Year and thanked everyone involved with the celebrations that were well attended.

**Mayor Sokolich** - He gave an update on the demolition process related to the old post office.

### **PUBLIC PARTICIPATION**

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried unanimously, the meeting was opened to the public for discussion.

There being no public discussion, the public hearing was closed **on motion by Councilman Suh, seconded by Council woman Kasofsky** .



On motion by Councilman Suh, seconded by Councilwoman Kasofsky, and there being no further discussion, the meeting was adjourned with no objections at 8:16 p.m.

Prepared By:

Nadine Drumgoole, RMC  
Deputy Municipal Clerk

Constantina Reditis  
Municipal Clerk's Office

Rosa Tropea  
Municipal Clerk's Office

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Evelyn Rosario, RMC, CMC  
Municipal Clerk