

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, February 17, 2022 @ 7:00 p.m.**

**Due to the current situation involving the COVID-19 pandemic, the regular session meeting of the Mayor and Council was held remotely. The meeting was accessible by telephone, by dialing one of the numbers listed below and entering the meeting ID number 847 5452 5589.**

**+1 301 715 8592 US  
+1 312 626 6799 US  
+1 646 558 8656 US**

**+1 253 215 8782 US  
+1 346 248 7799 US  
+1 720 707 2699 US**

**PRESENT:** Mayor Sokolich Council Members Sohmer (Via Teleconference), Yoon, Suh, Sargenti, Kasofsky, Cervieri

**ALSO PRESENT:** Al Restaino, Borough Administrator  
Evelyn Rosario, Borough 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 12, 2021. Said notice was also posted on the Borough Hall bulletin board and Borough website.

A remote meeting notice was published in the Record, the Jersey Journal and Star Ledger issues of January 27, 2022, notifying the public that this meeting may be held remotely, same was posted on the Borough Hall bulletin board. Details of this remote meeting was placed on the agenda and duly posted to the Borough website.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

“Just a few quick updates. We have been getting some calls and I just had a conversation with Administrator Restaino just before the meeting about the status of our new post office and now is as good a time as any to give a quick update. We are at the tail end of a five-year journey with the post office. As everyone should know at this point, it is located off Main Street, and it is 99.999% complete. It has been a journey that we have all had to endure now for several years and it is incredibly frustrating. The bureaucracy is incredibly frustrating. We are done with the post office but there is one final item. There are special lock cylinders that they require that are on order. We should have them, hopefully shortly, and at that point the post office can move. Once the post office moves, we then start our new park on Main Street. It has been frustrating for several reasons, not the least of which is the pandemic, because for example, when the post office wants a particular door to be installed, whether it is part of their specifications or not, we need to order that door. That door would otherwise in normal circumstances take five days, seven days to receive, now it takes two months, three months, four months to receive because of whether it's a supply chain problem or just a manufacturing issue, or a combination of both and that is where we are at. The security is good, the building is good, everything is done and has been inspected we just need to change these lock cylinders and hand over the keys for the post office and get those folks on Main Street moved in so that Fort Lee can finally get the park that we are super excited about. The next obvious question should be, when is that going to happen?”

Well, I am hoping it happens soon. I know I have been saying we are in a thirty-day window now for about a year and a half, but I do believe we are in a thirty-day window, so keep your fingers crossed. Fort Lee, you could rest assured that I'm on it every single day along with Al and the rest of the council. Quick conversation about masks because it is a little confusing out there. What states are requiring it? What schools are? What schools are not? What the kids are doing? What the kids are not doing? It has been the policy of government here that we have been strongly encouraging to wearing a mask when you come to Borough Hall. Our view is not only does it protect yourself, but it protects others. We still do have COVID out there. I do not think we are overreacting to this, but there are a lot of folks that are asymptomatic, especially with Omicron and a lot of the other variants that are out there. The good news today is the latest statistics indicate that upwards of 70 plus percent of the United States is immune from Omicron and I think that is fantastic. Just keep your fingers crossed that we are not visited with another variant that we need to deal with, but that is good news, at least on the Omicron front. Until further advised, we are going to ask everybody, we are not mandating it and we are not going to arrest you if you do not but for your own protection and quite frankly, the protection of others that are around you, and especially those that are more susceptible to disease and to illness, those with asthma and other type of preconditions such as that we would ask you to please wear a mask when you come to Borough Hall.

Additionally, an update on what has been affectionately referred to as the North Bridge Park and I know a lot of folks are interested in that.

That has traveled a long journey in and of itself. I've been talking about Option B. When I say Option B, I am talking about a revised park plan that we believe goes a long way in resolving many of the issues and objections that we have heard from folks that live in that neighborhood. We now finally are in receipt, just a day or two ago, of a revised plan that we are going to add a couple little tweaks to and then we are going to release it to the public. I do not see why we could not do that next week, Monday or Tuesday and again I want to be perfectly clear nothing is planned with that park. There are no trucks that are waiting in the backyard here to fix it, or to renovate it. That is some time off and nothing is going to happen until we receive public comment and peoples' position on it and so forth and so on. We are going to try and turn what was otherwise something that caused quite a bit of friction into frankly, a good thing and I think we are going to be able to do that, I really do. I received this plan, we did get a couple versions of it that, quite frankly, we were not happy with. It did not go far enough to, I think, assuaging many of the concerns that we heard. We now finally have the version that I think, it's not final, it is far from final, but I think it is on the one-yard line, as far as presenting it to the public so that we have something to talk about and debate and hear the good, hear the bad, the ugly and then hopefully move on to a final version. I want to emphasize, nothing is going to be happening without public input."

### **APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the minutes of the December 9, 2021, Regular Session were approved.

On motion by Councilman Sargenti, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the December 9, 2021- January 6, 2022, Recessed Meeting were approved.

On motion by Councilman Sargenti, seconded by Councilman Cervieri, and carried unanimously, the minutes of the January 13, 2022, Work Session were approved.

On motion by Councilman Sargenti, seconded by Councilman Suh, and carried unanimously, the minutes of the January 13, 2022, Closed Session were approved.

### **INTRODUCTION OF ORDINANCES**

**Ord. #2022-2 "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 156 ENTITLED "TREE REMOVAL AND REPLACEMENT ", SECTIONS 156-2 ENTITLED**

**REGULATED TREES ” AND 156-9 ENTITLED “REQUIREMENTS FOR TREE REPLACEMENT AND/OR MITIGATION ” (Public Hearing March 3, 2022)**

**On motion by Councilman Sargenti , seconded by Councilwoman Kasofsky , and carried, Ord. #2022- 2 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 156 ENTITLED “TREE REMOVAL AND REPLACEMENT”, SECTIONS 156-2 ENTITLED “REGULATED TREES” AND 156-9 ENTITLED “REQUIREMENTS FOR TREE REPLACEMENT AND/OR MITIGATION” (Public Hearing March 3, 2022) was introduced and passed on first reading.**

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for March 3, 2022.

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

**Ord. #2022-3 “AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF THE CODE OF THE BOROUGH OF FORT LEE WITH THE REPLACEMENT OF EXISTING ORDINANCE CHAPTER 410 ZONING ARTICLE XV ANTENNAS WITH A NEW ARTICLE XV WIRELESS TELECOMMUNICATIONS FACILITIES ” (Public Hearing March 3, 2022)**

**On motion by Councilman Sargenti, seconded by Councilman Suh, and carried, Ord. #2022-3 entitled “AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF THE CODE OF THE BOROUGH OF FORT LEE WITH THE REPLACEMENT OF EXISTING ORDINANCE CHAPTER 410 ZONING ARTICLE XV ANTENNAS WITH A NEW ARTICLE XV WIRELESS TELECOMMUNICATIONS FACILITIES” (Public Hearing March 3, 2022) was introduced and passed on first reading.**

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for March 3, 2022.

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

**Ord. #2022-4 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 193 ENTITLED “CONSTRUCTION CODES, UNIFORM ”, SECTION 193-2 ENTITLED “FEES” (Public Hearing March 3, 2022)**

**On motion by Councilman Cervieri , seconded by Council man Sargenti , and carried, Ord. #2022-4 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 193 ENTITLED “CONSTRUCTION CODES, UNIFORM”, SECTION 193-2 ENTITLED “FEES” (Public Hearing March 3, 2022) was introduced and passed on first reading.**

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for March 3, 2022.

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

**Ord. #2022-5 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 336 ENTITLED “SEWERS”, SECTION 336-23 ENTITLED “CONNECTION OF BUILDING SEWER AND PUBLIC SEWER ” (Public Hearing March 3, 2022)**

**On motion by Councilman Cervieri , seconded by Councilwoman Kasofsky, and carried, Ord. #2022-5 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 336 ENTITLED “SEWERS”, SECTION 336-23 ENTITLED “CONNECTION OF BUILDING SEWER AND PUBLIC SEWER” (Public Hearing March 3, 2022) was introduced and passed on first reading.**

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for March 3, 2022.

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

**ORDINANCE PUBLIC HEARINGS**

**Ord. #2022-1 “AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 2 FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE”**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, the public hearing was opened relative to Ord. #2022-1 entitled “AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 2 FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE”**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 90 Police Department, Section 2 Formation and Rank, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 90-2 Formation and Rank, Paragraph A Police Department Table of Organization, shall hereby be deleted and replaced with the following:

- A. The Police Department Table of Organization may consist of not more than 99 officers in total and 3 Special Law Enforcement Class III (SLEO III) officers in the following positions at the sole discretion of the Mayor and Council:

- 1 Police Chief
- 1 Deputy Chief
- 5 Captains
- 9 Lieutenants
- 16 Sergeants; the total combined Sergeants and Lieutenants shall not exceed 25
- 67 Police Officers, or higher, not to exceed the Department's full complement of officers
- 3 Special Law Enforcement Class III (SLEO III) officers

Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

There being no public discussion, the public hearing was closed **on motion by Councilman Cervieri , seconded by Council man Sargenti .**

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

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

Mayor Sokolich gave a brief overview of the budget and the process of the Special Improvement District.

**PUBLIC HEARING AND ADOPTION OF THE 2022 BOROUGH OF FORT LEE SPECIAL IMPROVEMENT DISTRICT BUDGET**

**Councilman Cervieri made a motion to open the public hearing, motion seconded by Councilman S argenti .**

There being no public comments, the public hearing relative to the **“2022 Budget of the Fort Lee Special Improvement District ”** was closed on motion by Councilman Cervieri, seconded by Council woman Kasofsky .

Councilman Cervieri made a motion to adopt the 202 2 Budget of the Fort Lee Special Improvement District motion seconded by Councilman Sargenti.

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

**BE IT RESOLVED** that the following statements of revenues and appropriations (available in the office of the Borough Clerk) shall constitute the Fort Lee Special Improvement District Budget for the year 2022; and

The Governing Body of the Borough of Fort Lee does hereby adopt the following as the Fort Lee Special Improvement District Budget for year 2022 (Available in the office of the Municipal Clerk):

<b>Fort Lee Special Improvement District Budget</b>	<b>2022</b>	<b>Comments</b>
<b>INCOME</b>		
SID Assessment	\$697,853.18	Footnote # 1
Donations		TBD
Sponsorship		TBD
Capital Fund / Investment	\$950,000.00	Footnote # 2 - TBC
Special Event Revenue		
Loan		
<b>TOTAL INCOME</b>	<b>\$1,647,853.18</b>	
<b>EXPENSES</b>		
<b>Operations</b>		
Management	\$9,600.00	
Maintenance	\$120,000.00	
<b>Sub Total</b>	<b>\$129,600.00</b>	
<b>Marketing</b>		
Management	\$50,690.00	
Web + Application	\$20,000.00	
Year Long Holiday - Special Events	\$230,000.00	
Business Attraction	\$60,000.00	
Marketing / Branding	\$70,000.00	
Retail Program	\$60,000.00	
<b>Sub Total</b>	<b>\$490,690.00</b>	
<b>Capital Programs</b>		
Management	\$40,860.00	

Lights/Banners/Displays	\$76,000.00	
Improvements/Welcome/ Visual/Engineering, Plantings, etc.	\$800,000.00	Footnote # 2 - Due to COVID did not provide capital projects, will utilize, adding sign grant program
<b>Sub total</b>	<b>\$916,860.00</b>	
<b>Administration</b>		
Management	\$17,850.00	
Accounting	\$8,000.00	
Dues & Subs	\$2,000.00	
Insurance	\$2,000.00	Liability and D&O
Rent	\$24,000.00	
Cable/phone/internet	\$3,600.00	
Postage	\$600.00	
Office /Equipment/Etc	\$6,000.00	
Meeting Supplies	\$4,000.00	
Miscellaneous/Utilities	\$7,760.53	
Uncollected Reserve (5%)	\$34,892.65	
<b>Sub total</b>	<b>\$110,703.18</b>	
<b>TOTAL EXPENSES</b>	<b>\$1,647,853.18</b>	<b>\$0.00</b>
	<b>\$0.00</b>	
<b>Footnote # 1</b> - Current Assesment at Municipal tax rate; then of taxes paid X .0048% SID Rate remains the same = BDA assessment. This year due to tax appeals the assessment will create a \$25,862 decrease		
<b>Footnote # 2</b> - Due to COVID we did not provide 2021 capital projects The Capital Investment = CD + balance of 2021 funds To Be Confirmed(TBC)		
<b>Footnote #3</b> - TBC Feb		

It is hereby certified that the within budget (Available in the Office of the Municipal Clerk) is a true copy of the Fort Lee Special District Improvement budget finally adopted by the Governing on the 17<sup>th</sup> Day of February 2022.

Certified by me on this 1 7<sup>th</sup> Day of February 2021  
 Evelyn Rosario, Municipal Clerk  
 Borough of Fort Lee, County of Bergen

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilman Suh**, the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-12.

Council	Motion	Second	Yes	No	Abstain	Absent
---------	--------	--------	-----	----	---------	--------

February 17, 2022 Regular Session Meeting  Resolution # CA- 1 to CA- 12  Carried:___ Defeated:___ Tabled:___ Approved on Consent Agenda: X
--

Sohmer						
Yoon						
Suh						
Sargenti	X					
Kasofsky		X				
Cervieri						

**CA-1 Payment of Claims**

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

<b><u>ACCOUNT</u></b>	<b><u>AMOUNT</u></b>
Current	\$ 33,374,841.26
Current - Grant	
Capital	76,857.79
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	300.00
Trip Admissions	
Special Dog Account	1,280.00 Trust Account
Fund	275.00
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	
Community Development	
Redemption Account	176,911.01
School Resource Account	
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	
Police Treasury	38,688.28
Police Justice	12,412.51
Flexible Spending	
Trust Account	
Developers CONNECT ONE	26,700.13
Developers B of America	94.00
<b>Total:</b>	<b>\$ 33,708,359.58</b>

**CA-2 Approving a Request to Permit the 2<sup>nd</sup> Annual Easter Egg Hunt to be Held on Saturday April 2<sup>nd</sup>, Rain Date Sunday, April 3<sup>rd</sup>**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST TO PERMIT THE 2<sup>nd</sup> ANNUAL EASTER EGG HUNT**

**WHEREAS**, the Borough of Fort Lee received a request on January 18, 2022 seeking approval to hold the 2nd Annual Easter Egg Hunt; and

**WHEREAS**, the 2nd Annual Easter Egg Hunt is scheduled for Saturday, April 2, 2022, with a rain date of Sunday April 3, 2022; and

**WHEREAS**, the 2nd 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 2nd Annual Easter Egg Hunt on Saturday, April 2, 2022, with a rain date of Sunday April 3, 2022.

**CA-3 Accepting Retirement Notice of Thomas Colantuono , Truck Driver, Department of**

Public Works, Retroactively effective as of July 19, 2021

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT OF THOMAS COLANTUONO, TRUCK DRIVER OF THE PUBLIC WORKS DEPARTMENT**

**BE IT RESOLVED** that **Thomas Colantuono , Truck Driver**, of the **Department of Public Works** , has notified the Borough of his desire to retire and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Mr. Colantuono's retirement shall be retroactively effective as of July 19, 2021 with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Mr. Colantuono on his retirement.

CA-4 Authorizing a \$2.50 Hourly Wage Increase for Part-Time Emergency Medical Technicians and an Additional \$2.50 Per Hour Increase in 2023

**RESOLUTION OF THE BOROUGH OF FORT LEE INCREASING THE HOURLY WAGE FOR PART-TIME EMERGENCY MEDICAL TECHNICIANS**

**WHEREAS**, on January 3, 2022, correspondence was received from Mr. Paul Favia, EMS Coordinator for the Borough of Fort Lee requesting and \$2.50 per hour increase for the Borough's part-time Emergency Medical Technicians; and

**WHEREAS** , a comprehensive analysis of comparable wages and services was performed to determine the basis for this increase; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee, that the hourly wage associated with the Borough's part-time Emergency Medical Technicians be amended to reflect a \$2.50 per hour increase in 2022 and an additional \$2.50 per hour increase in 2023; and

**BE IT FURTHER RESOLVED** that this amendment shall be effective February 21, 2022.

CA-5 Authorizing the Appointment of Matthew Rutch as Certified Tax Collector, Effective February 28, 2022, with a Term Expiring December 31, 2026, Annual Salary \$20,000.00

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE APPOINTMENT OF MR. MATTHEW RUTCH AS CERTIFIED TAX COLLECTOR**

**WHEREAS** , N.J.S.A. 40A:9-141 requires that each municipality appoint a certified Municipal Tax Collector; and

**WHEREAS** , N.J.S.A. 40A:9-142 provides that every Municipal Tax Collector shall hold office for a term of four (4) years from the "first day of January next following his appointment"; and

**WHEREAS, Mr. Matthew Rutch**, a certified Tax Collector of the State of New Jersey, 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. Matthew Rutch** be appointed as Tax Collector for the Borough of Fort Lee, effective February 28, 2022, with term expiring midnight December 31, 2026 at an annual salary of \$20,000, which will be added to his base salary; and

**BE IT FURTHER RESOLVED** that this appointment is categorized as an unclassified position within the New Jersey Civil Service Commission and that the compensation package will be negotiated annually.



**CA-6 Authorizing the Adoption of the Revised Personnel Policies and Procedures Manual and Employee Handbook of the Borough of Fort Lee**

**RESOLUTION OF THE BOROUGH OF FORT LEE REGARDING ADOPTION OF THE REVISED PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK OF THE BOROUGH OF FORT LEE**

**WHEREAS**, it is the policy of the Borough of Fort Lee to treat current and prospective employees in a manner consistent with all state and federal laws and regulations including but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, The Family and Medical Leave Act, the Conscientious Employee Protection Act, (the New Jersey General's guidelines with respect to Police Department personnel), the New Jersey Compensation Act, the Federal consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meetings Act; and

**WHEREAS**, the Borough received notification from the Joint Insurance Fund (JIF) that there was a need for the Borough's personnel policies and procedures manual ("Manual") to be updated and an Employee Handbook ("Handbook") be developed to ensure that current and prospective employees are treated in a manner consistent with all state and federal laws and regulations and has, in the past, promulgated such a Manual and Handbook; and

**WHEREAS**, the Borough Administrator and the Borough Labor Attorney have recently revised the Manual and developed a Handbook for the purpose of addressing required modifications; and

**NOW, THEREFORE BE IT RESOLVED**, that the Borough of Fort Lee hereby adopts as its policy the revised Personnel Policies and Procedures Manual and Employee Handbook prepared by the Borough Administrator and Labor Attorney, and that it shall be available for review in the office of the Borough Clerk.

**CA-7 Authorizing the Renewal of Various Vendor Municipal Licenses for the Year 2022**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF VARIOUS MUNICIPAL LICENSES FOR THE JANUARY 1, 2022 - DECEMBER 31, 2022 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, 2022 - December 31, 2022 licensing year.

**CLOTHING BINS** - Chapter 189

**LIMOUSINES** - Chapter 372, Article II

**TAXI**

**MOTELS/HOTELS** - Chapter 377

**SERVICE/GAS STATION** - Chapter 333

**USED CAR LOTS** - Chapter 289, Article III  
**SK Motors Inc.**

**VENDING** - Chapter 190 (Washers, Dryers, Candy, Soda Machines)  
**Profes Corporation Speed Wash**

**Theater** - Chapter 134

**CA-8 Authorizing the Sale of Surplus Equipment no Longer Needed for Public Use on an Online Auction Website known as Propertyroom.com**

**RESOLUTION BY THE BOROUGH OF FORT LEE AUTHORIZING THE SALE OF SURPLUS EQUIPMENT NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Borough of Fort Lee (the “Borough”) has determined that the personal property described on schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Borough intends to utilize the online auction services of PropertyRoom located at [www.propertyroom.com](http://www.propertyroom.com); and

**WHEREAS**, the sale of surplus property in “as is” condition shall be conducted through PropertyRoom pursuant to an awarded contract #012821-PRC through Sourcewell national purchasing cooperative, of which the Borough is a member; and

**WHEREAS**, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services’ Local Finance Notice No. 2019-15; and

**WHEREAS**, this Resolution shall supersede any and all prior resolutions relating to the use of an online auction website by the Borough.

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

1. The Borough of Fort Lee is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website [www.propertyroom.com](http://www.propertyroom.com).
2. The Borough Clerk is hereby authorized to publish this Resolution in the official newspaper of the Borough notifying the public that an online website “PropertyRoom” located at [www.propertyroom.com](http://www.propertyroom.com) will be utilized for the sale of surplus equipment no longer needed for public use.
3. The terms and conditions of the agreement entered into between PropertyRoom and Sourcewell national purchasing cooperative, of which the Borough of Fort Lee is a member, are available at <https://www.sourcewell-mn.gov/cooperative-purchasing/012821-prc#tab-contract-documents>.
4. A certified copy of this Resolution shall be available for public inspection in the Borough Clerk’s Office.
5. This Resolution shall take effect immediately.

**CA-9 Authorizing the Designation of an Official Signatory for a 2021 Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Contract**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE DESIGNATION OF AN OFFICIAL SIGNATORY FOR A 2021 BERGEN COUNTY OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (BERGEN COUNTY TRUST FUND) GRANT CONTRACT**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Fort Lee wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$122,147 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland &

Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Fort Lee Children’s Playground: Construction of All-Ages Playground located in Block 7245, Lot 1 on the tax maps of the Borough of Fort Lee;

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize Mayor Mark J. Sokolich to be a signatory to the aforesaid Contract; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 15, 2023; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from grant award’s unexpended balance, should there be a balance.

**CA-10 Authorizing the Submission of a Grant Application to the Bergen Municipal Employee Benefit Fund to Incentivize Employee Participation in Health and Wellness Programs**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE BERGEN MUNICIPAL EMPLOYEE BENEFIT FUND**

**WHEREAS**, the Borough of Fort Lee affirms its understanding that the Bergen Municipal Employee Benefit Fund offers an opportunity to its member agencies who wish to initiate a partnership with the Fund to incentivize employee participation in health and wellness programming and awareness; and

**WHEREAS**, the Borough of Fort Lee understands that the participation in the Program requires local budgetary support and administration; and

**WHEREAS**, the application for grant consideration requires a resolution of the governing body’s understanding and support for promoting health and wellness concepts within their employee population;

**NOW THEREFORE BE IT RESOLVED** that the Borough of Fort Lee authorizes the submission of a grant application to the Bergen Municipal Employee Benefit Fund to enable their participation in the Fund’s Health and Wellness Program.

**CA-11 Authorizing the Ratification Award of an Emergency Contract/Purchase for Forced Main Pipe Repair at the Bluff Road Pump Station**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RATIFICATION AWARD OF AN EMERGENCY CONTRACT/PURCHASE FOR FORCED MAIN PIPE REPAIR AT THE BLUFF ROAD PUMP STATION**

**WHEREAS**, the Borough of Fort Lee was notified of the break and leaking in the forced main pipe of the Bluff Rd. pump station on July 28, 2021; and

**WHEREAS**, the DPW Superintendent along with the Qualified Purchasing Agent have determined it was an emergency affecting the public health, safety, and welfare and the forced main pipe needed to be repaired; and

**WHEREAS**, the Borough is required to repair the forced main pipe with a vendor in a timely and safe manner to provide for the safety of its residents; and

**WHEREAS**, the Borough of Fort Lee Purchasing Agent has declared the need for an emergency repair of the forced main pipe at the Bluff Road pump station; and

**WHEREAS**, J. Fletcher Creamer and Son, 101 East Broadway Hackensack, NJ 07601 has provided the Borough with a quote for the emergency repair of the forced main pipe at the Bluff Road pump station for the Borough of Fort Lee DPW and will provide said repair at a cost of \$28,523.92; and

**WHEREAS**, the Borough has adequate funds appropriated for the contract; and

**WHEREAS**, the Borough's Chief Financial Officer has certified that funds are available for these purposes from account number 04-2150-55-2007, said certification being attached to this resolution; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE:**

1. Authorizes, Matthew Rutch, Qualified Purchasing Agent to approve the repairs to the Bluff Rd pump station forced main pipe, the determined emergency from J. Fletcher Creamer and Son, as described herein.

**CA-12 Authorizing the Award of a Contract to McNerney & Associates, Inc. for the Provision of Professional Appraisal Services Related to the Creation of an Exposure Analysis for the Borough of Fort Lee, Not to Exceed \$12, 500.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROVISION OF PROFESSIONAL APPRAISAL SERVICES**

**WHEREAS**, there exists a need for the Borough to retain the services of a licensed appraiser to provide professional appraisal services related to the creation of an exposure analysis for the Borough; and

**WHEREAS**, on January 6, 2022, pursuant to duly adopted Resolution R-31, the Mayor and Council of the Borough awarded a contract for the performance of professional appraisal services on an as-needed basis to Robert McNerney of McNerney & Associates, Inc. ("McNerney") in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; 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 McNerney to perform such professional appraisal services with regard to the creation of an exposure analysis for the Borough; and

**WHEREAS**, McNerney possesses the requisite expertise and skilled personnel required to provide professional appraisal services related to the creation of an exposure analysis for the Borough; and

**WHEREAS**, the Mayor and Council of the Borough are desirous of awarding a

contract for professional appraisal services to McNerney in accordance with the procedures mandated under the Local Public Contracts Law; and

**WHEREAS**, the prior contract award and retention of McNerney to provide professional appraisal services is pursuant to a fair and open process in accordance with the provisions of New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Borough’s Chief Financial Officer has certified that funds are available for these purposes from account number 01-2010-20-1502-016, said certification being attached to this resolution; and

**WHEREAS**, the award of a contract for the creation of an exposure analysis for the Borough is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough, and

**WHEREAS**, the Local Public Contracts Law requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection;

**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 McNerney, 266 Harristown Road, Suite 301, Glen Rock, New Jersey 07452 shall be and is hereby appointed to perform professional appraisal services with regard to the creation of an exposure analysis for the Borough at a cost of \$12,500 in accordance with its proposal, dated January 12, 2022, attached hereto and made a part hereof.
2. That McNerney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of N.J.S.A. 10:5-31 et seq.
3. That a notice of the contract awards shall be published, and this resolution must be available for public inspection, in accordance with the requirements of the Local Public Contracts Law.
4. That the Chief Financial Officer has certified that current funds are available for this purpose.
5. That no further action of the Borough shall be required.

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky. The Consent Agenda regarding CA-1 through CA-12 was approved on the following roll call:

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

**RESOLUTIONS**

**R-1 Authorizing the Appointment of May & Associates as the Borough Affordable Housing Liaison for the Year 2022, Not to Exceed \$7,500.00**

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

February 17, 2022 Regular Session Meeting  Resolution # R- 1  Carried: <u>X</u> Defeated: <u>    </u> Tabled: <u>    </u> Approved on Consent Agenda: <u>    </u>
---

**RESOLUTION OF THE BOROUGH OF FORT LEE APPOINTING MAY &**

**ASSOCIATES AS THE BOROUGH AFFORDABLE HOUSING LIAISON FOR THE YEAR 2022**

**WHEREAS**, it is necessary for the Borough of Fort Lee to engage the services of an Affordable Housing Liaison for the year 2022 to provide support services with respect to the Borough’s Affordable Housing Program at an annual cost of \$7,500.00; and

**WHEREAS**, compensation will be available by way of budget appropriations to compensate said affordable housing liaison; and

**WHEREAS**, the Borough’s Chief Financial Officer has reviewed the Borough’s available funds and has determined that sufficient funds are available from account number 01-2010-21-1902-159, said certification being attached to this resolution;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that a resolution authorizing the award of contracts for “professional services: without competitive bids must be publicly advertised.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that May & Associates be and is hereby appointed as Affordable Housing Liaison for the year 2022.

**BE IT FURTHER RESOLVED** that this contract is awarded without public bidding as professional services under the Local Contracts Law by virtue of N.J.S.A. 40A:11 et seq., which specifically exempts such contracts from the requirements of public bidding.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

**R-2 Authorizing the Appointment of Community Grants, Planning & Housing as the Borough Affordable Housing Administrative Agent for the Year 2022, Not to Exceed \$40,000.00**

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

February 17, 2022  
 Regular Session Meeting  
 Resolution # R- 2  
 Carried: X Defeated:    Tabled:     
 Approved on Consent Agenda:   

**RESOLUTION OF THE BOROUGH OF FORT LEE APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING AS THE BOROUGH AFFORDABLE HOUSING ADMINISTRATIVE AGENT FOR THE YEAR 2022**

**WHEREAS**, it is necessary for the Borough of Fort Lee to engage the services of an Affordable Housing Administrative Agent for the year 2022 to provide support services with respect to the Borough’s Affordable Housing Program at a cost not to exceed \$40,000.00; and

**WHEREAS**, compensation will be available by way of budget appropriations to compensate said agents; and

**WHEREAS**, the Borough’s Chief Financial Officer has reviewed the Borough’s available funds and has determined that sufficient funds are available from account number 01-2010-21-1902-159, said certification being attached to this resolution;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that a resolution authorizing the award of contracts for “professional services: without competitive bids must be publicly advertised.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that Community Grants, Planning & Housing be and is hereby appointed as Affordable Housing Administrative Agent for the year 2022.

**BE IT FURTHER RESOLVED** that this contract is awarded without public bidding as professional services under the Local Contracts Law by virtue of N.J.S.A. 40A:11 et seq., which specifically exempts such contracts from the requirements of public bidding.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

**R-3 Approving and Authorizing the Execution of a Developer 's Agreement Between the Borough of Fort Lee and the Estate of Demetrios Stamboulos, 466 Jane Street**

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

February 17, 2022 Regular Session Meeting  Resolution # R- 3  Carried: <u>X</u> Defeated: <u>   </u> Tabled: <u>   </u> Approved on Consent Agenda: <u>   </u>
--

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPER 'S AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND ESTATE OF DEMETRIOS STAMBOULOS**

**WHEREAS**, on March 10, 2020, the Fort Lee Zoning Board of Adjustment (“Zoning Board”) granted approvals to Estate of Demetrios Stamboulos (the “Developer”) for the construction of a new three family residential structure on the premises for property known as Block 3654, Lot 5, also known as 466 Jane Street (the “Property”); and

**WHEREAS**, on May 12, 2020, the Zoning Board adopted a resolution memorializing the approval and the Borough of Fort Lee and Developer have agreed to the terms and conditions of a Developer’s Agreement; and

**WHEREAS**, a Developer’s Agreement has been prepared by Marc D. Macri, Esq. and is attached hereto.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk hereby approved and authorize to the execution of the Developer’s Agreement with the Developer.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be filed in the Office of the Borough Clerk.

**COUNCIL REPORTS**

**Councilman Sohmer** -No report this evening.

**Councilman Yoon**- He thanked Michael Maresca and Patrick Ferrara for directing and handling the storm.

**Councilman Suh**- He mentioned to register for girls spring softball visit [www.fortleeboe.com](http://www.fortleeboe.com) and Little League baseball registration can be found at [www.fortleebaseball.com](http://www.fortleebaseball.com)

**Councilman Sargenti** - He gave a monthly report regarding the Fort Lee Voluntary Fire Department for response activity for January. He reminded the public to change the batteries in your smoke and carbon monoxide detectors. He mentioned the Fort Lee Police

Department has responded to over 99,000 calls and incidents this year thus far.

**Councilwoman Kasofsky** - She mentioned the Borough was awarded the Mayors Wellness Award in the amount of \$1,000.00 and currently in the campaign for the entire state. She reminded the public to check the library website for all upcoming events.

**Mayor Sokolich** -He mentioned he participated in the Fred T. Korematsu day at the library.

**Councilman Cervieri** - He mentioned the library director Chris Yurgelonis expressed her thankfulness for the mayor's presence at the. Fred T. Korematsu day

### **PUBLIC PARTICIPATION**

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

<b><u>Name</u></b>	<b><u>Address</u></b>
1. Melba	2200 N. Central Road

Ms. Melba asked for clarification regarding agenda item No. CA-9.

Mayor Sokolich and the Borough Administrator Mr. Restaino responded this grant contract would allow the Borough to apply for money to be used for playground equipment.

2. Frank Warzul	Horizon House
-----------------	---------------

Mr. Warzul thanked the Fire Prevention Bureau and Inspector Robert DeVito regarding efficient violation inspections conducted at Horizon House Buildings.

Mayor Sokolich thanked Mr. Warzul for recognizing The Fire Prevention Bureau Inspectors.

3. June Ruggiero	Not Known
------------------	-----------

Ms. Ruggiero also applauded the Fire Prevention Bureau inspectors. She inquired for the Borough to apply for a tree fitting arbitration, as the Borough of Edgewater received a plaque after processing an online application.

Mayor Sokolich and Council President Kasofsky replied that they are familiar with the program and would like to implement such program in the Borough.

4. Ethel	Not Known
----------	-----------

Ms. Ethel spoke of the need to reduce street garbage specifically in the area of Hudson terrace and North Central Road.

Mayor Sokolich responded he will have this issue taken care of right away.

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

On motion by Councilman Suh, seconded by Councilman Sargenti, and there being no further discussion, the meeting was adjourned with no objections at 7:37 p.m.

Prepared By:

Nadine Drumgoole, RMC



Deputy Municipal Clerk

Constantina Reditis  
Municipal Clerk's Office

Rosa Tropea  
Municipal Clerk's Office

---

Evelyn Rosario, RMC, CMC  
Municipal Clerk