

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, April 20, 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 everybody to our regularly scheduled meeting of April 20, 2023, I know we have a busy agenda. I know most of you are here for a particular reason, so I will keep my opening remarks very brief with just a few updates. It is getting exciting on Main Street; we are about to endeavor to start on this park by presenting to the Council a colorized version of what I think is going to be a beautiful park. We can do our final tweaks and review and get comments in. We are extremely excited about it, and I believe this property to be one of the key places in the borough of Fort Lee and to imagine the place is busy. With the hustle and bustle that we have here to put in a parcel of property upwards of an acre and make it a passive park and and just have folks relax and have a cup of coffee and have events there. There will be a small pavilion and walkways with all sorts of different species of plants. It is getting exciting, and it has only taken seven years to get to this point. Now, it is in our hands so get your seat belt on because we are going to get it done and completed. This past weekend was a huge weekend here in the borough from girls' softball to Little League opening days. We are in full swing. It is spring and everybody, please be careful. Make sure you watch out for the kids and adults alike. Obviously, kids are on their bikes. The weather's getting nicer. People are more outside. Right, all drivers need to be cognizant of that. Thank you to the Police Department for your enforcement initiatives. We also had a great Armenian flag raising date this past Saturday. I know a lot of a lot of our Council members attended. This past weekend is no different than any of the other weekends coming up here in the borough. We are very busy. We are very active, everybody wants to be here, and we are progressing, and we are on the rise as usual. “

## **RECOGNITION**

The following recognition letter was read by Mayor Sokolich

### **Fort Lee High School Girls Bowling**

The Lady Bridgemen completed their most successful season in school history with a 17-2 record and overall points record of 116-17. Each match consists of 3 games with a total of 7 points up for grabs in each match.

The girls won the Big North American Division for the 2nd consecutive year with a perfect 8-0 record and 56-0 overall points record. In the last 2 years of league play the girls have bowled 40 league games and have won 39 of them.

The girls after qualifying for the quarterfinals of the county tournament for the first-time last year reached new heights by qualifying in the 4th and final position out of 19 teams in the qualifying round by averaging 160 in qualifying and then beating Bergen Tech 2-0 in the semifinals and Indian Hills 3-0 in the finals match. The county tournament was an all-team baker format in which 5 girls bowled 2 frames each. There were 15 qualifying games followed by the team matchups in which the girls swept both the semifinals and finals matchup. In the finals the girls averaged 194 in their 3-game sweep of Indian Hills which was an extremely high average for 5 girls combined. In the 43-year history of the tournament Fort Lee became just the 14th Bergen County school to win the event and of course this is the first time the Fort Lee girls have ever won the event.

The girls for the first time ever also qualified for the State tournament in North Brunswick by finishing 2nd to Holy Angels in the state qualifying tournament.

The girls also had the first bowling match ever live streamed with commentary during the regular season against Holy Angels in which they lost in a very high scoring match.

The girls based on their league championship, county championship and strong 2nd place finish in the State qualifying tournament were named Bergen County "Team of the Year" the first such time in school history.

The girls were led by Seniors, Suejean Kim, Michelle Kim, Katelyn Lee,  
Junior - Jessica Kim  
Sophomore(s) Abigail Lee (Katelyn's Sister), Amber Kim, Dana Kim  
Freshman - Jenah Yang

Senior, Michelle Kim with an overall average of 194 was the girl's leading bowler. She had the 2nd highest average in North Jersey just 4/10 of 1 pin away from being first. She was voted first team all-league, all county, all north jersey and 3rd team all-state. She finished 3rd in the girl's individual county tournament and qualified for the State tournament for the 2nd consecutive year. She is the only girl in school history to have qualified for the State individual final. Michelle went from a 114-128-158-194 average over her 4-year high school career. She will be attending Villanova in the fall with her major, most likely biology.

Seniors, Katelyn Lee and Suejean Kim, also bowled for 4 years and both improved every year. Both girls were first team all-league this year. Katelyn will be attending Rutgers in the fall. Suejean is still undecided at this time which college she will be attending.

Jenah Yang, freshman, was also first team all-league this year and honorable mention all-county. with an average of 150 she was the 2nd highest average for

the girls this year and highest scoring female freshman in school history.

Abigail Lee, sophomore, was honorable mention all-league. She made major improvements at the back end of the season and was a major contributor in the State qualifying event when she was thrown into the action when she wasn't expecting it.

Amber Kim, sophomore, first year bowler, improved as the season went on and performed very well in the county tournament when put into the lineup unexpectedly during the county event.

Jessica Kim, junior, first year bowler, was bowling junior varsity the majority of the year but the switch went on near the end of the season and she was a major factor in the girls qualifying for the State Tournament. A 115 JV bowler the majority of the season, she averaged 165 for her 8 varsity games.

Dana Kim, sophomore, first year bowler - bowled sparingly (Nice Pun) for varsity and improved as the season went on and should be a major contributor next year.

Michelle, Katelyn, Suejean, all bowled 4 years with Coach Grant including through Covid and they were best friends on and off the lanes. They all epitomized what the sport is about, competition, respect for others and making all the younger girls feel part of the team. They will be truly missed, and Coach Grant wishes them nothing but great things in the future. They will always be part of the Fort Lee bowling family.

Coach Grant wanted to acknowledge his boys' teams as well. They didn't receive as much hoopla as the girls this year, but they finished 16-3 and also won their division and had a strong 4th place Group 3-4 showing in the county event this past year.

Coach Grant was also honored as the Bergen County Women's Association "coach of the year" by his peers. In his five years as varsity bowling coach, he has now been named Bergen County coach of the year once for both the boys and girls.

**POLICE DEPARTMENT:**  
**PROMOTIONS/RESOLUTIONS AND OATHS OF OFFICE**

**R-1 Authorizing Police Promotions - Captain**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>			X			
<b>Yoon</b>			X			
<b>Suh</b>		X	X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>	X		X			

April 20, 2023 Regular Session Meeting  Resolution # R-1  Carried: X Defeated: ___ Tabled: ___  Approved on Consent Agenda: ___
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**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PROMOTION OF POLICE LIEUTENANT JAMES LEE TO POLICE CAPTAIN OF THE FORT LEE POLICE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee wish to promote **Lieutenant James Lee**, to the rank of **Police Captain** with an effective date of April 20, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary as outlined

by the P.B.A. contract.

**R-2 Authorizing Police Promotion – Lieutenant**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>		X	X			
<b>Yoon</b>			X			
<b>Suh</b>			X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>	X		X			

April 20, 2023  
Regular Session Meeting

Resolution # R-2

Carried: X Defeated:     Tabled:    

Approved on Consent Agenda:

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PROMOTION OF POLICE SERGEANT CHRISTOPHER D. VALACER TO POLICE LIEUTENANT OF THE FORT LEE POLICE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee wish to promote **Sergeant Christopher D. Valacer**, to the rank of **Police Lieutenant** with an effective date of April 20, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary set forth as outlined by the P.B.A. contract.

**R-3 Authorizing Police Promotion – Sergeant**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>		X	X			
<b>Yoon</b>			X			
<b>Suh</b>			X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>	X		X			

April 20, 2023  
Regular Session Meeting

Resolution # R-3

Carried: X Defeated:     Tabled:    

Approved on Consent Agenda:

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PROMOTION OF POLICE OFFICER MARIO MATTESICH TO POLICE SERGEANT OF THE FORT LEE POLICE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee wish to promote **Police Officer Mario Mattesich, Jr.** to the rank of **Police Sergeant** with an effective date of April 20, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary set forth as outlined by the P.B.A. contract.

**POLICE DEPARTMENT SWEARING IN CEREMONY (OATHS OF OFFICE)**

Police Chief Hintze thanked the Mayor & Council, Borough Administrator and Borough Clerk for providing the Police Department with the time and opportunity to allow the swearing in of the new Officers. Chief Hintze recognized the following officers who have excelled in their current investigation assignment and received their detective shields. Officer Tyler McCue, Officer Joe Zevits, and Officer Mike Scicutella.

And at this time, he asked the mayor to come forward to swear in the new Officers.

Mayor Sokolich administered the Oaths of Office to the newly elected Lieutenant, Captain and Sergeant for the Fort Lee Police Department. Mario Mattesich was sworn in as Sergeant for the Fort Lee Police Department by Mayor Sokolich.

Holding the Bible will be his mother Anna and his father Mario and; pinning the badge will be his fiancé Tatianna.

Christopher D. Valacer was sworn in as Lieutenant for the Fort Lee Police Department by Mayor Sokolich.

Holding the Bible will be his son Bronne and; pinning the Badge will be his son Daxton joined by his wife Valerie and his sister Lauren.”

James Lee was sworn in as Captain for the Fort Lee Police Department by Mayor Sokolich.

Holding the Bible will be his son Brian and his daughter Christina and; pinning the Badge will be his wife Sophia.”

In conclusion, Police Chief Hintze asked all in attendance to give the officers recognized this evening a final round of applause.

On motion by Councilman Cervieri, seconded by Councilman Suh, a brief recess was approved and taken at 7:43 P.M.

On motion by Councilman Sohmer, seconded by Councilman Suh, the meeting was reconvened at 7:54 P.M.

**APPROVAL OF MINUTES**

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried unanimously, the minutes of the March 2, 2023, Closed and Work Sessions were approved.

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried unanimously, the minutes of the March 16, 2023, Regular Sessions were approved.

**INTRODUCTION OF ORDINANCES**

**Ord. 2023-10 AN ORDINANCE TO ALLOW FOR THE VACATION OF A PORTION OF BRIAR WAY IN THE BOROUGH OF FORT LEE (Public Hearing May 18, 2023)**

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for May 18, 2023.

<b>Introduced On: April 20, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky		X	X
Cervieri	X		X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

**Ord. 2023-11 AN ORDINANCE TO ALLOW FOR THE VACATION OF A PORTION OF BUCKINGHAM ROAD IN THE BOROUGH OF FORT LEE (Public Hearing May 18, 2023)**

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for May 18, 2023.

<b>Introduced On: April 20, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky		X	X
Cervieri	X		X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

**Ord. 2023-12 AN ORDINANCE ESTABLISHING A “SEWER IMPROVEMENT FEE”, FOR CONNECTION TO THE BOROUGH OF FORT LEE SEWER SYSTEM LEE (Public Hearing May 18, 2023)**

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for May 18, 2023.

<b>Introduced On: April 20, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer		X	X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

**Ord. 2023-13 AN ORDINANCE ESTABLISHING SALARIES AND WAGES FOR WHITE COLLAR EMPLOYEES FOR 2023 – 2026 (Public Hearing May 18, 2023)**

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for May 18, 2023.

<b>Introduced On: April 20, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer		X	X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

**Ord. 2023-14 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (Public Hearing May 18, 2023)**

The Ordinance was **approved**, and the public hearing relative to this ordinance was scheduled for May 18, 2023.

<b>Introduced On: April 20, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			X
Yoon			X
Suh		X	X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			
Yoon			
Suh			
Drumgoole			
Kasofsky			
Cervieri			

**ORDINANCE PUBLIC HEARINGS**

**Ord. 2023-8 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 ENTITLED “PARKING”, AND CHAPTER 388 ENTITLED “VEHICLES AND TRAFFIC”**

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened. There being no public discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky.

<b>Introduced On: March 16, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer	X		X
Yoon			X
Suh		X	X
Drumgoole			X
Kasofsky			ABSENT
Cervieri			X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer			X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky		X	X
Cervieri	X		X

**WHEREAS**, it has been brought to the attention of the Mayor and Council of the Borough of Fort Lee that there is a need to increase the fines for certain parking violations; and

**WHEREAS**, the Mayor and Council believes it would be in the best interest of the citizens that Chapter 289 entitled “Parking” and Chapter 388 entitled “Vehicles and Traffic” be amended and supplemented at this time.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fort Lee that Chapter 289 “Parking”, and Chapter 388 entitled “Vehicles and Traffic” are amended and supplemented as follows:

Section 1

Chapter 289, “Parking”, Section 16 “Parking meter zones established” is hereby amended and supplemented as follows:

- B. Subject to the prohibitions imposed by N.J.S.A. 39:4-138 upon the parking or standing of vehicles in certain places as therein specified, the Mayor and Council. Deeming it necessary for the public good and safety, do hereby ordain that parking meter zones be established on the following streets and highways in the Borough and no person shall continuously park a motor vehicle in any zone in excess of the respective maximum time period hereinafter set forth. The fine for violations of this §289-15 shall be \$40.

Chapter 388 “Vehicles and Traffic”, Section 40 “Fee Schedule” is hereby

amended and supplemented as follows:

§40 Fee Schedule.

Section	Fee
§388-38A(1)-(12)	\$100

- Section 2. To the extent not inconsistent herein, Ordinance #2022-20 is hereby ratified and confirmed.
- Section 3. All other parts, portions and provisions of the Fort Lee Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this ordinance shall be deemed to govern.
- Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.
- Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
- Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with the Law.

**Ord. 2023-9 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 Sohmer, and carried, the public hearing was opened. There being no public discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer

<b>Introduced On: March 16, 2023</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer	X		X
Yoon			X
Suh			X
Drumgoole		X	X
Kasofsky			ABSENT
Cervieri			X

<b>Adopted On:</b>			
<b>Council</b>	<b>Motion</b>	<b>Second</b>	<b>Vote</b>
Sohmer		X	X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

**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
- 2 Deputy Chief
- 4 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.

**INTRODUCTION OF THE 2023 MUNICIPAL BUDGET**

Steven D. Wielkocz, Borough Auditor provided a brief overview of the 2023 Municipal Budget.

**Councilman Cervieri introduced, and Councilman Suh seconded,** the introduction of the 2023 Municipal Budget:

BE IT RESOLVED that the following statements of revenues and appropriations (available in the office of the Borough Clerk) shall constitute the Municipal Budget for the year 2023; and

BE IT FURTHER RESOLVED, that said budget be published in The Record in the issue of April 28, 2023.

The Governing Body of the Borough of Fort Lee does hereby approve the following as the Budget for year 2023 (available in the office of the Borough Clerk.)

The introduced budget was **approved** on the following roll call:

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

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Fort Lee, County of Bergen, on April 20, 2023. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on May 18, 2023, at 7:00 p.m. at which time objections to the Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

**PROPOSED CONSENT AGENDA**

**On motion by Councilwoman Kasofsky, seconded by Councilman Cervieri** the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-2 through CA-3 and CA-5 through CA-8.

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>		X				
<b>Yoon</b>						
<b>Suh</b>						
<b>Drumgoole</b>						
<b>Kasofsky</b>						
<b>Cervieri</b>	X					

April 20, 2023 Regular Session Meeting Resolution # CA-2 to CA-3 and CA-5 to CA-8 Carried:___Defeated:___Tabled:___ Approved on Consent Agenda: <u>X</u>
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**CA-2 Approving New Jersey State Firemen’s Association Membership Application for Roberto J. Santana, Jr., Fire Co.#2**

The New Jersey State Firemen’s Association Membership Applications for Roberto J. Santan, Jr., Fire Company #2 was approved.

**CA-3 Authorizing the Hiring of Various Spring Seasonal Employees in the Community Center and Recreation Department, Spring 2023 Season Through June 23, 2023, \$15.00 - \$30.00 Hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF SPRING SEASONAL EMPLOYEES**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee have authorized the hiring of spring seasonal employees; and,

**NOW, THEREFORE, BE IT RESOLVED** that the below listed individuals will be hired as spring seasonal employees to work at the Community Center and Recreation Department with an effective date provided by the Department Head to our Payroll Department; and

**BE IT FURTHER RESOLVED** that said individuals be paid at an hourly rate as stipulated below, **Spring 2023 season through June 23, 2023:**

<b>NAME</b>	<b>POSITION</b>	<b>DEPARTMENT</b>	<b>HOURLY RATE:</b>
Ashman, Christopher	Supervisor	Community Center	\$15.00
Holzapfel, Erik	Supervisor	Community Center	\$15.00
Keller, Alan	Supervisor	Community Center	\$15.00
Jaikissoon, Eric	Supervisor	Community Center	\$18.00
McCrary, Consuelo	Supervisor	Community Center	\$15.00
Morell, Samuel	Supervisor	Community Center	\$15.00
Nannas, Dimitri	Supervisor	Community Center	\$15.00
Picinich, Donald	Supervisor	Community Center	\$15.00
Sciglitano, Anthony	Supervisor	Community Center	\$15.00
Asharian, Laudan	Rec/Tennis Attendant	Recreation	\$15.00
Aynes, Daneya	Rec/Tennis Attendant	Recreation	\$15.00
DeGidio, Ashley	Rec/Tennis Attendant	Recreation	\$15.00
Gathers, Savannah	Rec/Tennis Attendant	Recreation	\$15.00
Gulsen, Berkan	Rec/Tennis Attendant	Recreation	\$15.00
Huertas, Michael	Rec/Tennis Attendant	Recreation	\$15.00
Joseph, Daniel	Rec/Tennis Attendant	Recreation	\$15.00
Katjomuise, Kyle	Rec/Tennis Attendant	Recreation	\$15.00
Kellas, Kim	Crafts Instructor	Recreation	\$20.00
Rosa, Shaina	Rec/Tennis Attendant	Recreation	\$15.00
Samuel-Olagunju, Joanne	Rec/Tennis Attendant	Recreation	\$15.00
Schiff, Barry	Adult Art Instructor	Recreation	\$30.00

**CA-5 Authorizing the Hiring of J. Montalvo, T. Goerg and M. Barreto, Emergency Medical Technicians, Effective Immediately, \$27.64 Hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF PART-TIME EMERGENCY MEDICAL TECHNICIANS**

**WHEREAS**, there are Emergency Medical Technician vacancies in the Fort Lee Ambulance Corps, and the Mayor and Council have determined that these vacancies must be filled,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired as a part-time **Emergency Medical Technicians** with the Fort Lee Ambulance Corps **effective immediately**; and

- **Janice Montalvo**
- **Timothy Goerg**
- **Mariella Barreto**

**BE IT FURTHER RESOLVED** that these appointments are provisional pending certification from the New Jersey Civil Service Commission. This position shall be at **\$27.64 per hour**, not to exceed 19 ½ hours per week, with an effective date to be provided by our EMS Coordinator to the Payroll Office.

**CA-6 Authorizing the Renewal of an Interlocal Services Agreement with the Fort Lee Board of Education for the Assignment of a Special Police Officer, Effective Retroactively March 8, 2023, Ending June 30, 2023**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF AN INTERLOCAL SERVICES AGREEMENT WITH THE FORT LEE BOARD OF EDUCATION FOR THE ASSIGNMENT OF A SPECIAL POLICE OFFICER**

**WHEREAS**, the Fort Lee Board of Education is desirous of renewing an interlocal services agreement with the Borough for the provision of a special police officer; and

**WHEREAS**, this agreement shall retroactively commence on March 8, 2023 and end June 30, 2023; and

**WHEREAS**, compensation for the assignment of the officer shall be borne by the Fort Lee Board of Education in the amount of \$35 per hour with payments being made quarterly predicated upon receipt of an invoice from the Borough of Fort Lee Chief Financial Officer; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the renewal of the aforementioned Interlocal Services Agreement is hereby approved.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided to the Fort Lee Board of Education.

**CA-7 Authorizing the Allocation of Funds and Authorizing the Purchasing Agent to Prepare Bid Documents and Receive Bids for Project Known as Bluff Road Netting Facilities**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE ALLOCATION OF FUNDS AND AUTHORIZING THE BOROUGH'S PURCHASING AGENT TO PREPARE BID DOCUMENTS AND RECEIVE BIDS FOR THE PROJECT KNOWN AS THE BLUFF ROAD NETTING FACILITIES IMPROVEMENT PROJECT**

**WHEREAS**, the Borough of Fort Lee operates three combined sewage

regulators that service the combined portion of the Borough's wastewater collection system; and

**WHEREAS**, one of these is the Bluff Road regulator and netting facility which enable inflows to be sent to the treatment plant at an underflow pumping rate up to 10 MGD and overflows to the netting facility for the capture of floatables before discharging to the Bluff Road outfall; and

**WHEREAS**, the Bluff Road netting facility experiences flooding during extreme wet weather events causing overflows onto Route 5; and

**WHEREAS**, an Administrative Compliance Order (ACO) by the EPA was issued because of the flooding. In response to EPA ACO: Administrative Docket No. CWA-02-2018-3048 – Borough of Fort Lee, NJPDES Permit No. NJ0034517, the Borough is taking measures to alleviate flooding during these events; and

**WHEREAS**, the proposed improvements at Bluff Road, to minimize flooding include replacing the existing nets with two (2) larger nets, (60"x60"), and removal of the static bar screen as the existing bar screen gets heavily clogged with debris, which causes a bottleneck in the system. Stormwater drainage will also be installed and improved along Manatauck Avenue and will be connected directly to the overflow pipe to reduce overland discharge; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, that the Borough's Purchasing Agent is hereby authorized and directed to obtain specifications and advertise for bids for the project known as the Bluff Road Netting Facilities Improvement Project and the Chief Financial Officer will certify that funds will be available in the 2023 capital bond ordinance.

**CA-8 Supporting the 2023 Udrive, Utext, Upay Distracted Driving Crackdown April 1-30, 2023**

**RESOLUTION OF THE BOROUGH OF FORT LEE SUPPORTING THE  
2023 UDRIVE. UTEXT. UPAY. DISTRACTED DRIVING CRACKDOWN  
APRIL 1 - 30, 2023**

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, from 2011-2020 distracted driving-related crashes resulted in 32,000 deaths on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in 50-percent of all motor vehicle crashes from 2016-2020; and

**WHEREAS**, the State of New Jersey will participate in the nationwide Distracted Driving 2023 Crackdown from April 1 - 30, 2023 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is UDrive. UText. UPay; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED** that the Borough of Fort Lee declares its support for the Distracted Driving 2023 Crackdown both locally and nationally from April 1 - 30, 2023 and pledges to increase awareness of the dangers of distracted driving.

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky. The Consent Agenda regarding CA-2 through CA-3 and CA-5 through CA-8 was approved on the following roll call:

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

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky Resolution CA-1 was introduced, and the public hearing was opened. There being no public comments the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky.

**CA-1 Payment of Claims**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>			X			
<b>Yoon</b>			X			
<b>Suh</b>			X			
<b>Drumgoole</b>					X	
<b>Kasofsky</b>		X	X			
<b>Cervieri</b>	X		X			

April 20, 2023  
Regular Session Meeting

Resolution # CA-1

Carried: X Defeated:    Tabled:   

Approved on Consent Agenda:

**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.

**ACCOUNT**

**AMOUNT**

Current	
\$2,362,710.74	
Current – Grant	
Capital	
238,852.94	
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	
Trip Admissions	
Special Dog Account	1,130.00
Trust Account Fund	
90,765.00	
Redemption Account	
353,043.30	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	
Community Development	
School Resource Account	
Dedicated Penalties (Fire Prevention)	
POAA	
Police Donation	

Police Treasury 1,500.00  
 Police Justice  
 Flexible Spending  
 Trust Account  
 Developers CONNECT ONE  
 32,197.54 Developers B of America

**Total: \$ 3,080,199.52**

On motion by Councilman Cervieri, seconded by Councilman Sohmer Resolution CA-4 was introduced, and the public hearing was opened. There being no public comments the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer.

**CA-4 Authorizing the Hiring of Various Spring Seasonal Events Crew Employees in the Community Center, Spring 2023 Season, \$23.00 - \$30.00 Hourly**

Council	Motion	Second	Yes	No	Abstain	Absent	April 20, 2023 Regular Session Meeting  Resolution # CA-4  Carried: <input checked="" type="checkbox"/> Defeated: <input type="checkbox"/> Tabled: <input type="checkbox"/>  Approved on Consent Agenda: <input type="checkbox"/>
<b>Sohmer</b>		X	X				
<b>Yoon</b>			X				
<b>Suh</b>					X		
<b>Drumgoole</b>			X				
<b>Kasofsky</b>			X				
<b>Cervieri</b>	X		X				

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF SPRING SEASONAL EMPLOYEES**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee have authorized the hiring of spring seasonal employees; and,

**NOW, THEREFORE, BE IT RESOLVED** that the below listed individuals will be hired as spring seasonal employees to work the Stage at the Community Center, with an effective date provided by the Department Head to our Payroll Department; and

**BE IT FURTHER RESOLVED** that said individuals be paid at an hourly rate as stipulated below, **effective for the Spring 2023 season:**

<b>NAME</b>	<b>POSITION</b>	<b>DEPARTMENT</b>	<b>HOURLY RATE:</b>
Baek, Cameron	Events Crew	Community Center	\$23.00
Abascal, Scott	Events Crew	Community Center	\$24.50
Ghali, Sam	Director of Stage Events	Community Center	\$30.00
Mateus, Andy	Events Crew	Community Center	\$23.00
Sarnoff, Jordan	Events Crew	Community Center	\$23.00
Zamora, Monica	Events Crew	Community Center	\$23.00

**RESOLUTIONS**

**R-4 Authorizing the Tax Appeal Attorney to Execute all Documents Necessary to Finalize Settlement of Tax Appeal Entitled Angelo Hatzipetrou v. Borough of Fort Lee, 100 Old Palisade Road #914 and 100 Old Palisade**

**Road #PL6**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>			X			
<b>Yoon</b>			X			
<b>Suh</b>			X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>		X	X			
<b>Cervieri</b>	X		X			

April 20, 2023  
Regular Session Meeting

Resolution # R-4

Carried: X Defeated:      Tabled:     

Approved on Consent Agenda:

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE TAX APPEAL ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FINALIZE SETTLEMENT OF TAX APPEAL ENTITLED “ANGELO HATZIPETROU v. BOROUGH OF FORT LEE”**

**WHEREAS**, Angelo Hatzipetrou is the owner and/or taxpayer of property located at Block 3352, Lot 3, Qualifier C0914, also known as 100 Old Palisade Road #914, Fort Lee, NJ and property located at Block 3352, Lot 3, Qualifier CPL06, also known as 100 Old Palisade Road #PL6, Fort Lee, NJ for tax year 2020; and

**WHEREAS**, taxpayer has filed a property tax appeal against the Borough of Fort Lee for tax year 2020 in a matter entitled Angelo Hatzipetrou v. Borough of Fort Lee, which is presently pending in the Tax Court of New Jersey; and

WHEREAS, it has been recommended by the Tax Appeal Attorney and the Borough Assessor that the matters be settled at this time, and that such settlement is in the best interests of the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of the matter entitled Angelo Hatzipetrou v. Borough of Fort Lee, so that for the tax year 2020 the assessment of \$430,000 for Unit #914 will be reduced to \$410,000, resulting in a refund of \$481.80; and so that for the tax year 2020 the assessment of \$760,000 for Unit #PL6 will be reduced to \$680,000, resulting in a refund of \$1,927.20; with a total refund to the taxpayer of \$2,409; and

**BE IT FURTHER RESOLVED** that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as payment is made within sixty (60) days of the issuance of a Tax Court Judgment; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall keep a copy of this Resolution on file and available for inspection in the office of the Borough Clerk and shall forward a copy of this Resolution to the Mayor; Business Administrator; Borough Attorney and Borough Tax Assessor.

**R-5 Authorizing an Amended Settlement Agreement by and Among the Borough of Fort Lee and Fair Share Housing Center to Resolve Affordable Housing Issues in the Borough’s Declaratory Judgment Action**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>		X	X			
<b>Yoon</b>			X			
<b>Suh</b>	X		X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>					X	

April 20, 2023  
Regular Session Meeting

Resolution # R-5

Carried: X Defeated:      Tabled:     

Approved on Consent Agenda:

\*Councilman Cervieri Recused and Left the Dais

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING AN AMENDED SETTLEMENT AGREEMENT BY AND AMONG THE BOROUGH OF FORT LEE AND FAIR SHARE HOUSING CENTER TO RESOLVE THE AFFORDABLE HOUSING ISSUES RAISED IN THE BOROUGH'S DECLARATORY JUDGMENT ACTION**

**WHEREAS**, the New Jersey Supreme Court declared that the discriminatory use of zoning powers was illegal and provided, as a matter of constitutional law, that each developing municipality “must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate income,” In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) (*Mount Laurel IV*), citing S. Burlington Cnty, NAACP v. Twp. of Mount Laurel (Mount Laurel I), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975), and that this constitutional obligation requires that towns must provide “a realistic opportunity for the construction of [their] fair share of the present and prospective regional need for low and moderate income housing,” Ibid citing S. Burlington Cnty, NAACP v. Twp. of Mount Laurel (Mount Laurel II), 92 N.J. 158, 205 (1983), (together with *Mount Laurel I*, the *Mount Laurel Doctrine*); and

**WHEREAS**, the Borough of Fort Lee (“Borough”) has long engaged in the judicial process and the administrative process before the Council on Affordable Housing (COAH) established under the Fair Housing Act, N.J.S.A. 52:27D-1 et seq., to obtain approval of its affordable housing plan in compliance with its obligations under the *Mount Laurel Doctrine*; and

**WHEREAS**, the New Jersey Supreme Court, in *Mount Laurel IV* determined that “the administrative forum (“COAH”) is not capable of functioning as intended by the Fair Housing Act due to the lack of lawful Third Round Rules assigning constitutional obligations to municipalities,” and, consequently “the Courts may resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations”; and

**WHEREAS**, *Mount Laurel IV* accordingly provided for a judicial mechanism for municipalities to seek a declaratory judgment that they have complied with the *Mount Laurel Doctrine* and are entitled to immunity from exclusionary zoning lawsuits; and

**WHEREAS**, on July 14, 2015, the Borough filed a declaratory judgment action under the procedures established by the Supreme Court in *Mount Laurel IV* encapsulated In the Matter of the Application of the Borough of Fort Lee, Bergen County, New Jersey for a Declaratory Judgment, docket No. BER-L-6289-15 (“the Declaratory Judgment Action”) to address its *Mount Laurel Obligation*; and

**WHEREAS**, Fair Share Housing Center (“FSHC”) is a Supreme Court designated interested party in the Declaratory Judgment action and is a party to the settlement agreement and will be able to enforce the settlement agreement; and

**WHEREAS**, the settlement of *Mount Laurel* litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for low and moderate income households; and

**WHEREAS**, the Borough of Fort Lee negotiated a settlement agreement with FSHC in 2020 and 2021; and

**WHEREAS**, the Governing Body approved the Settlement Agreement with FSHC by Resolution No. R-1 adopted January 21, 2021 to resolve all disputes



arising under the Borough’s Declaratory Judgment Action; and

**WHEREAS**, the Borough of Fort Lee Planning Board (“the Planning Board”) will adopt an amended Housing Element and Fair Share Plan (HE/FSP) to provide for the Borough’s compliance with its *Mount Laurel Obligation* which will be provided to the Governing Body for review; and

**WHEREAS**, Ordinances will be presented to the Governing Body for introduction and adoption to implement the amended HE/FSP and provide mechanisms for the provision of affordable housing; and

**WHEREAS**, presented to the Governing Body for review and approval is a proposed Amended Settlement Agreement with FSHC.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that:

1. The Governing Body will review the amended Housing Element and Fair Share Plan and all of its constituent components to address and provide for the Borough’s *Mount Laurel Obligation*, upon the Court’s review and approval of same.
2. The Governing Body will review and take necessary actions to adopt the Ordinances to implement the amended Housing Element and Fair Share Plan which will be considered for adoption under the Court’s review and approval of same.
3. The Governing Body hereby approves and endorses the proposed Amended Settlement Agreement with FSHC to resolve all disputes arising under the Borough’s Declaratory Judgment Action, subject to the Court’s review and determination. The Mayor is hereby authorized to execute the Amended Settlement Agreement on behalf of the Borough substantially in the form as presented to the Governing Body and upon the advise of Borough Counsel.

**R-6 Authorizing the Execution of a Collective Negotiations Agreement Between the Borough of Fort Lee and United Service Worker’s Union (White Collar Unit)**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>	X		X			
<b>Yoon</b>			X			
<b>Suh</b>		X	X			
<b>Drumgoole</b>					X	
<b>Kasofsky</b>			X			
<b>Cervieri</b>					X	

April 20, 2023  
Regular Session Meeting

Resolution # R-6

Carried: X Defeated:      Tabled:     

Approved on Consent Agenda:

\*Councilman Cervieri and Councilman Drumgoole Recused and Left the Dais

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF A COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND UNITED SERVICE WORKER’S UNION (WHITE COLLAR UNIT)**

**WHEREAS**, the Borough of Fort Lee (“Borough”) is a municipal corporation of the State of New Jersey in the County of Bergen, established in accordance with N.J.S.A. 40A:60-1 et seq.; and

**WHEREAS**, United Service Worker’s Union (the “Union”), is the recognized majority representative of the White Collar Unit; and

**WHEREAS**, the Borough and Union have met to negotiate certain terms and conditions of a Memorandum of Agreement (“MOA”); and

**WHEREAS**, the Parties have agreed to enter into the MOA, attached hereto in form and substance as **Exhibit A**;

**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. The Mayor is hereby authorized to execute the MOA between the Borough and the Union, attached hereto in form and substance as **Exhibit A**.
2. That upon execution of the MOA, this Resolution and the MOA between the parties shall be available for public inspection in the Office of the Borough Clerk.
3. That no further action of the Borough shall be required to effectuate the purposes hereof.

**R-7 Certifying Compliance with the United States Equal Employment Opportunity Commission’s Guidelines**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>		X	X			
<b>Yoon</b>			X			
<b>Suh</b>			X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>	X		X			

April 20, 2023  
Regular Session Meeting

Resolution # R-7

Carried: X Defeated:      Tabled:     

Approved on Consent Agenda:

**RESOLUTION OF THE BOROUGH OF FORT LEE CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the *Governing Body* of the *Borough of Fort Lee*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**R-8 Authorizing the Execution of the Global Settlement Agreement Between the Borough of Fort Lee Redevelopment Associates, LLC, Borough of Fort Lee and Fair Share Housing Center, Inc.**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Sohmer</b>	X		X			
<b>Yoon</b>			X			
<b>Suh</b>		X	X			
<b>Drumgoole</b>			X			
<b>Kasofsky</b>			X			
<b>Cervieri</b>					X	

April 20, 2023  
Regular Session Meeting

Resolution # R-8

Carried: X Defeated:    Tabled:   

Approved on Consent Agenda:

\*Councilman Cervieri Recused and Left the Dais

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE GLOBAL SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF FORT LEE REDEVELOPMENT ASSOCIATES, LLC, BOROUGH OF FORT LEE AND FAIR SHARE HOUSING CENTER, INC.**

**WHEREAS**, on April 15, 2010, Fort Lee Redevelopment Associates, LLC (“FLRA”) was designated as redeveloper of property located in the Borough of Fort Lee now known as Block 4851.04, Lots 1, 2, 3 and 4, also known as the “East Parcel”; and

**WHEREAS**, the Borough of Fort Lee and FLRA entered into a Redevelopment Agreement and Covenants dated February 2, 2012; and

**WHEREAS**, on March 26, 2012, the Fort Lee Planning Board granted final site plan approval for the East Parcel Project to FLRA; and

**WHEREAS**, on September 5, 2012, an Assignment and Assumption of Redevelopment Agreement and Covenants was entered into, which provided in part for Fort Lee Phase I Owner, LLC to become the successor in interest to FLRA as the designated redeveloper and owner of Phase I of the Project and Fort Lee Phase II Owner LLC to become the successor in interest to FLRA as the designated redeveloper and owner of Phase II of the Project in addition to the Borough, Fort Lee Phase I Owner, LLC and Fort Lee Phase II Owner, LLC entering into Amendment #1 to the Redevelopment Agreement; and

**WHEREAS**, the Redeveloper constructed all of the components of the Project; and

**WHEREAS**, although the Redevelopment Agreement addressed the circumstances of any affordable housing obligation as related to the completion of improvements on the East Parcel Project, the parties disagreed as to whether any affordable housing obligation is due under the Redevelopment Agreement; and

**WHEREAS**, the Borough filed a declaratory judgment action on or about July 8, 2015 captioned In re Petition of the Borough of Fort Lee, Bergen County, New Jersey, Docket No. BER-L-6289-15, followed by an action filed by FSHC on or about September 12, 2017, captioned Fair Share Housing Center v. The Borough of Fort Lee, et al, Docket No. BER-L-6198-17 concerning the affordable housing obligations; and

**WHEREAS**, a Settlement Agreement was executed by the Mayor, on behalf of the Borough and by FSHC on or about January 26, 2021 settling the matters; and

**WHEREAS**, Redevelopers filed a suit against the Borough of Fort Lee, Fort Lee Redevelopment Associates, LLC, et als v. Borough of Fort Lee, et al, docket No. BER-1-1522-21, asserting that the Borough violated the expressed and implied terms of the Redevelopment Agreement to the detriment of the Redevelopers; and

**WHEREAS**, the parties, after due consideration, wish to completely and permanently resolve any and all differences existing among them; and

**WHEREAS**, the parties have negotiated a Global Settlement Agreement which will resolve all the claims against Redevelopers, the Borough and FSHC and the Redevelopers in the pending case.

**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. The Mayor and Borough Clerk are hereby authorized to execute the Global Settlement Agreement in the form attached hereto as Exhibit "A".
2. A certified copy of this Resolution shall be provided to James G. O'Donohue, Esq., attorney for Redeveloper, and Adam Gordon, Fair Share Housing.

### **COUNCIL REPORTS**

**Councilman Sohmer**-He mentioned the Fort Lee Little League opening days for baseball and softball were well attended. The library held an open house meet and greet and he thanked all the municipal organizations and departments in attendance.

He mentioned a proclamation was presented at the Armenian Flag raising in recognition of those suffered as a result of the Armenian Genocide.

On Saturday May 6<sup>th</sup> the artisan market will open at the Be Fort Lee sign and the VFW will host their Day of Service, all are welcome.

**Councilman Yoon**- He congratulated the Fort Lee High School Girls Bowling Team and coach, Neil Grant. He also congratulated the Officers promoted this evening. He thanked the Fort Lee Police Department for keeping our town safe.

He commended all involved with the zero-percentage tax increase for 2023.

**Mayor Sokolich**- He commended all involved with the finance committee including Councilmen Yoon and Suh.

**Councilman Suh**- He commended all involved with the zero-percentage tax increase for 2023.

He congratulated the Fort Lee High School Girls Bowling Team and coach, Neil Grant. He also congratulated the Officers promoted this evening.

He mentioned the Memorial Day Parade will be held on May 29<sup>th</sup>.

**Mayor Sokolich**- He mentioned due to the proposal of senior housing in Fort Lee, the council will be conducting a town hall meeting on May 2<sup>nd</sup> at the Jack Alter Community Center.

**Councilman Drumgoole**- He congratulated the Fort Lee High School Girls Bowling Team and coach, Neil Grant. He also congratulated the Officers promoted this evening.

He mentioned this past Saturday's events were very well attended and there is more to come these upcoming weekends. The Youth Council of Fort Lee is hosting the Color Run on April 22<sup>nd</sup>, the Fort Lee Police is hosting their spring training on April 23<sup>rd</sup> as well as the school 4 carnival on May 13<sup>th</sup>. Please check the Borough website and Fort Lee on demand for all activity schedules.

He thanked all the volunteers and the Mayor and Council for their help and support with last week's Easter Egg Hunt.

He mentioned Open Gym for the youth of Fort Lee is back at the community center and youth center. Please check our website for dates and times.

**Councilwoman Kasofsky**- She congratulated the officers promoted this evening.

She read a letter from the Library Director, Chris Yurgelonis, thanking the community and Department Heads for their support at the library Meet and Greet.

She mentioned May 1<sup>st</sup> at 2PM the library will be having a concert featuring a Ukrainian Pianist. On May 20<sup>th</sup> will be the grand opening of the 6<sup>th</sup> Street Garden. High school student artists will be painting posters to display in the garden.

She stated "Drive Like Your Kids Live Here" signs have been placed around town to decrease the speed of drivers.

**Councilman Cervieri**- He mentioned this past Saturday was an excellent day at the little league opening day. He thanked Councilman Yoon and Drumgoole for giving their encouraging open speeches.

He congratulated the Fort Lee High School Girls Bowling Team and coach, Neil Grant. He also congratulated the Officer promoted this evening.

He encouraged the public to check the borough website and Fort Lee on Demand for upcoming events.

#### **PUBLIC PARTICIPATION**

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, 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 Cervieri, seconded by Councilwoman Kasofsky.**

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and there being no further discussion, the meeting was adjourned with no objections at 8:38 p.m.

Prepared By:

Nadine Drumgoole, RMC  
Deputy Municipal Clerk

Constantina Roditis  
Municipal Clerk's Office

Rosa Tropea  
Municipal Clerk's Office

\_\_\_\_\_  
Evelyn Rosario, RMC, CMC  
Municipal Clerk