

## **REGULAR MEETING**

### **MAYOR AND COUNCIL**

**Thursday, July 8, 2021 @ 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, Kasofsky, Cervieri

**ABSENT:** Councilman Sargenti

**ALSO PRESENT:** Al Restaino, Borough Administrator  
Evelyn Rosario, Borough 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 issue of December 22, 2020 and the Jersey Journal and Star Ledger issues of December 24, 2020. Said notice was also posted on the Borough Hall bulletin board, and on the outside door of Borough Hall and the Borough website.

### **MAYOR'S REPORT AND ANNOUNCEMENTS**

Good evening everyone. I'm going to dispense a long mayor's report tonight other than to welcome everybody here number 1, number 2, just a few thoughts. In our quest to return Fort Lee to a level of normalcy, I'm happy to report that many of the things that we have grown accustomed to over the years are coming back, things that we were unable to do last year. You are going to hear tonight from our various liaison's events and programs such as our concerts under the stars, movies under the stars. I'm happy to report that the PBA was sponsoring first night out, I believe on August 3rd this year. Which is another fun-filled event that's at the community center. One of the many things that we weren't able to do over the course of the last 12 months because of the pandemic. I'd also advise everybody the mask mandate for the most part has been relieved. However, please be respectful of those that still want to wear masks to feel protected. The long respected, the rights of our fellow community members over the last year. As a matter of fact, I'm happy to report that Fort Lee has become a model community with regard to stopping the spread of Covid, with regard to testing. Bryan, approaching what 4,000 or so people we tested? We created the mobile unit. When we realized vaccinations were critical and it was approved, we created our own approved vaccination site at the community center. We vaccinated over 2,000 people, and quite frankly we would have 10,000 people if we were given the vaccines. But we got them, we administered them, and its been a long 14 months. So, everybody's enjoyed a return to normalcy but there are variants out there, there are other issues we have to contend with. If you haven't yet been vaccinated, I implore you to please do so. This is not a decision just about you. It's a decision about others and the more people that vaccinate the quicker we are going to be able to put this pandemic completely in our rear-view mirror. I just think it is appropriate because it's just my own personal opinion. I think the tragedy in Surfside, Florida was an absolute disaster. My prayers and thoughts go out to those folks. Which brings me to a letter that I intend to write and circulate to all the high-rise buildings. In fact, any building over 5 stories in the Borough of Fort Lee encouraging them on behalf of the governing body and myself to conduct structural inspections and to make sure that their buildings are safe and are free of structural defect. That was a tragedy that we must avoid here in the borough. With that I'm going to dispense with any further report.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the May 20, 2021, Regular Session were approved.

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried unanimously, the minutes of the June 3, 2021, Work Session were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the June 17, 2021, Regular Session were approved.

At this time in the meeting Mayor Sokolich addressed the Knightsbridge residents in the chamber stating the Council is going to expeditiously get through our agenda and then reserve the balance of the evening for their questions and concerns.

**INTRODUCTION OF ORDINANCES**

**Ord. #2021-14 AN ORDINANCE AMENDING CHAPTER 410, ZONING, OF THE CODE OF THE BOROUGH OF FORT LEE REGARDING MEDICINAL CANNABIS DISPENSARY (Public Hearing August 12, 2021)**

**On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried, Ord. #2021- 14** entitled “AN ORDINANCE AMENDING CHAPTER 410, ZONING, OF THE CODE OF THE BOROUGH OF FORT LEE REGARDING MEDICINAL CANNABIS DISPENSARY” (Public Hearing August 12, 2021) 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 **August 12, 2021** .

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

**ORD. #2021-15 AN ORDINANCE IMPOSING A TRANSFER TAX ON THE SALE OF MEDICAL CANNABIS BY A MEDICAL CANNABIS DISPENSARY IN THE BOROUGH OF FORT LEE (Public Hearing August 12, 2021)**

**On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2021-15** entitled “AN ORDINANCE IMPOSING A TRANSFER TAX ON THE SALE OF MEDICAL CANNABIS BY A MEDICAL CANNABIS DISPENSARY IN THE BOROUGH OF FORT LEE” (Public Hearing August 12, 2021) 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 **August 12, 2021** .

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

**ORD. #2021-16 AN ORDINANCE OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE UNITED STATES POSTAL SERVICE FOR PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 225 MAIN STREET AND BLOCK 4751, PORTION OF LOT 2 CURRENTLY KNOWN AS 231 MAIN STREET FOR THE PURPOSE OF RELOCATING THE FORT LEE POST OFFICE TO NEW SPACE AND CREATING PUBLIC PARKLAND AND OPEN SPACE (Public Hearing August 12, 2021)**

**On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2021-16** entitled “AN ORDINANCE OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE UNITED STATES

POSTAL SERVICE FOR PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 225 MAIN STREET AND BLOCK 4751, PORTION OF LOT 2 CURRENTLY KNOWN AS 231 MAIN STREET FOR THE PURPOSE OF RELOCATING THE FORT LEE POST OFFICE TO NEW SPACE AND CREATING PUBLIC PARKLAND AND OPEN SPACE” (Public Hearing August 12, 2021) 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 **August 12, 2021** .

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

**ORDINANCE PUBLIC HEARINGS**

**Ord. #2021-13 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 relative to Ord. #2021-13** entitled “AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 2 FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE”

**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 98 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
- 66 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 Councilman Sohmer .**

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

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

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilman Sohmer**, the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-23.

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

July 8, 2021 Regular Session Meeting  Resolution # CA-1 to CA- 23  Carried: ___ Defeated: ___ Tabled: ___ Approved on Consent Agenda: <u>X</u>
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**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	\$14,699,618.95
Current - Grant	
Capital	1,112,120.09
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	
Trip Admissions	
Special Dog Account	
Trust Account Fund	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	
Community Development	
Redemption Account	School
Resource Account	
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	
Police Treasury	1,203.00
Police Justice	
Flexible Spending	
Trust Account	
Developers CONNECT ONE	48,863.64
Developers B of America	60,880.50
<b>Total:</b>	<b>\$15,922,686.18</b>

**CA-2 Approving Auxiliary Membership Firefighter Applications for Omar Elkomy and Dev Zaveri of Fire Company #1, David Kim and Samuel Tak of Fire Company #2, Jr. Auxiliary Membership Firefighter Application for Samuel Hong of Fire Company #2, Auxiliary Membership Firefighter Application for Joseph Calabro of Fire Company #4**

The Auxiliary Membership Firefighter Applications for Omar Elkomy and Dev Zaveri of Fire Company #1, David Kim and Samuel Tak of Fire Company #2, Jr. Auxiliary Membership Firefighter Application for Samuel Hong of Fire Company #2, Auxiliary



**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE FORT LEE NIGHT OUT ON TUESDAY, AUGUST 3, 2021 TO BE HELD AT THE JACK ALTER FORT LEE COMMUNITY CENTER**

**WHEREAS**, the Borough of Fort Lee will hold their annual **Fort Lee Night Out** on the first Tuesday of August, that being **Tuesday, August 3, 2021** at the Jack Alter Fort Lee Community Center; and,

**WHEREAS**, the Fort Lee Night Out serves as an annual initiative that promotes community partnerships, with our Police Department, Fire Department, Ambulance Corps and Office of Emergency Management; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee, grants permission to hold the Fort Lee Night Out on August 3, 2021.

**CA-6 Approving the Request for Fort Lee 's 7<sup>th</sup> Annual Paws in the Park**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST TO PERMIT THE 7TH ANNUAL PAWS IN THE PARK**

**WHEREAS**, the Borough of Fort Lee received a request from Ms. Randi Raskin seeking approval to hold the 7th Annual Paws in the Park; and

**WHEREAS**, the 7th Annual Paws in the Park is scheduled for October 30, 2021 between the hours of 11:00 AM and 3:00 PM, with a rain date of October 31, 2021; and

**WHEREAS**, the 7<sup>TH</sup> Annual Paws in the Park will be held at the Fort Lee Dog Park, located at 519 Stillwell Avenue; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee, grants permission for the 7th Annual Paws in the Park.

**CA-7 Authorizing a Disabled Veteran 's Tax Exemption on Property Known as 100 Old Palisade Road, Apt. #PL12**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING A DISABLED VETERAN'S EXEMPTION ON PROPERTY LOCATED AT 100 OLD PALISADE ROAD, APT. #PL12**

**BE IT RESOLVED**, that pursuant to N.J.S.A. 54:4-3.31 the Tax Assessor has granted a Disabled Veteran's exemption on the property located at 100 Old Palisade Road, Apt. #PL12, Block 3352 Lot 3 Qualifier CPL12; and

**WHEREAS**, the property owner Nelson Braswell is entitled to full real estate tax exemption commencing October 15, 2020 and thereafter,

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector-CFO be authorized to issue a refund check in the amount of \$4,004.38 payable to:

Nelson Braswell  
100 Old Palisade Rd. #PL12  
Fort Lee, New Jersey 07024

**CA-8 Authorizing a Disabled Veteran 's Tax Exemption on Property Known as 1423 13<sup>th</sup> Street**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING A DISABLED VETERAN'S EXEMPTION ON PROPERTY LOCATED AT 1423 13<sup>TH</sup> STREET**

**BE IT RESOLVED** that pursuant to N.J.S.A. 54:4-3.30 the Tax Assessor has granted a Disabled Veteran's exemption on the property located at 1423 13<sup>th</sup> Street, Block 2853 Lot 10

**WHEREAS**, the property owner, Marlon Altamirano-Vera is entitled to full real estate tax exemption commencing May 4, 2021 and thereafter,

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector-CFO be authorized to issue a refund check in the amount of \$1,394.22 payable to:

Marlon Altamirano-Vera  
1423 13<sup>th</sup> Street  
Fort Lee, New Jersey 07024

**CA-9 Authorizing Verizon New Jersey, Inc. to Place a New Pole at the Hoyt Avenue**

**A RESOLUTION OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, AUTHORIZING THE PLACEMENT BY VERIZON WIRELESS OF A SMALL WIRELESS FACILITY AT THE INTERSECTION OF HOYT STREET AND BRIDGE PLAZA NORTH**

**WHEREAS**, the public rights-of-way constitute a valuable, finite resource which exist as a common right of the public to pass and repass freely over and across said right-of-way without unreasonable obstruction or interference, and in a safe and secure manner; and

**WHEREAS**, pursuant to N.J.S.A. 48:17-10, a municipality must grant consent via resolution or ordinance for the placement of telecommunications equipment, including poles, lines and antennas, in the public rights-of-way; and

**WHEREAS**, the Borough adopted Ordinance 83-3 on February 17, 1983, granting general permission and consent to Verizon Wireless affiliate, Verizon New Jersey, Inc., then known as New Jersey Bell Telephone Company ("Verizon Wireless") to install and operate telecommunications facilities, including poles, wires and antennas in the public rights-of-way; and

**WHEREAS**, Verizon Wireless and Verizon New Jersey, Inc., are affiliated companies via parent company, Verizon Communications, with small wireless facility deployment typically demarcated between the two companies, with Verizon Wireless responsible for the installation of antennas and radio equipment and Verizon New Jersey, Inc., responsible for the installation of utility poles that support said antennas; and

**WHEREAS**, on May 20, 2021, the Borough adopted an ordinance regulating access to the rights-of-way for the installation of wireless telecommunications facilities (the "Small Cell Ordinance"), with said ordinance containing design provisions governing the placement, safety and appearance of said wireless telecommunications facilities in said rights-of-way; and

**WHEREAS**, the proposed Verizon Wireless small wireless facility at the intersection of Hoyt Street and Bridge Plaza North, also known as ODAS-FORT LEE NODE 07, complies with the placement, safety and design provisions of the Small Cell Ordinance; and

**WHEREAS**, pursuant to 47 U.S.C. 253(c), a municipality may require fair and reasonable compensation for the use of the public right-of-way by telecommunications providers, provided that the amounts of such compensation are determined via a non-discriminatory and competitively neutral basis; and

**WHEREAS**, in order to clarify 47 U.S.C. 253(c), the 2018 Federal Communications Commission order regarding the deployment of small wireless facilities in the public rights-of-way ("FCC-18-133A" or the "Small Cell Order") established presumed reasonable fee limits, below which, fees are presumed to be fair and reasonable in any jurisdiction, with \$270 per annum being the presumed reasonable recurring annual rate per small wireless facility; and

**WHEREAS**, the Small Cell Ordinance specifies in section G(3) that an annual recurring rate of \$270 shall be paid by the wireless carrier to the Borough; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that permission and

consent is hereby granted to Verizon Wireless to install a small wireless facility consisting of a 38' 6" utility pole, 4 antennas and 4 remote radio heads and other ancillary components, in the public right-of-way at the intersection of Hoyt Street and Bridge Plaza North, at NAD83 coordinates 40.855193N and -73.965274W, as more precisely depicted on the submitted plans dated January 19, 2021; and

**BE IT FURTHER RESOLVED**, that it is the intention of the Borough that this resolution in conjunction with the access permissions granted via Ordinance 83-3 shall satisfy the requirements of sections B and C of the Small Cell Ordinance, and that Verizon Wireless shall only be required to obtain ministerial permits; and

**BE IT FURTHER RESOLVED**, that Verizon Wireless shall pay an annual sum of \$270 to the Borough for as long as the proposed small wireless facility remains operational; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby authorized to enter into any agreement or amendment to an agreement deemed reasonable or necessary to effectuate the purposes of this resolution; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution and any other such required documentation to Verizon

**CA-10 Authorizing the Submission of a Treatment Works Approval Application to the New Jersey Department of Environmental Protection for 2100 N. Central Road and 2143 Hudson Terrace**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING SUBMISSION OF A TREATMENT WORKS APPROVAL APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) FOR 2100 North Central Road FL, LLC FOR 2100 N. Central Road & 2143 Hudson Terrace BLOCK 6155, LOTS 1 AND 2**

**WHEREAS**, 2100 N. Central Road FL, LLC, for properties at 2100 North Central Road & 2143 Hudson Terrace, who received approval for a mid-rise apartment, multifamily building A and building B development; and

**WHEREAS**, the project involves the construction of two 8 inch DIP sanitary sewer laterals, for connection to the existing sanitary sewer mains within North Central Road and Hudson Terrace and convey a flow of 47,850 gallons per day and therefore requires a Treatment Works Approval (TWA) from the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, Boswell Engineering has reviewed the Treatment Works Approval Application prepared by Matthew G. Clark P.E. of MCB Engineering Associates LLC; and

**WHEREAS**, the submission of the TWA requires consent by the Governing Body.

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Fort Lee, County of Bergen, State of New Jersey, consents to the submission of a Treatment Works Approval application to the NJDEP for the subject project and authorizes the Mayor or Borough Administrator to execute same.

**CA-11 Authorizing the Purchasing Agent to Obtain Specifications and Advertise for Bids for Project Known as Improvements to Valley Street and Hazlitt Avenue**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PURCHASING AGENT TO OBTAIN SPECIFICATIONS AND ADVERTISE FOR BIDS FOR PROJECT KNOWN AS "IMPROVEMENTS TO VALLEY ST AND HAZLITT AVE."**

**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:

1. Improvements to Valley St. and Hazlitt Ave.

**CA-12 Authorizing the Purchasing Agent to Obtain Specifications and Advertise for Bids for an Environmental Clean Up and Demolition of the Post Office**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PURCAHSING AGENT TO OBTAIN SPECIFTICATIONS AND ADVERTISE FOR BIDS FOR AN “ENVIRONMENTAL CLEAN UP AND DEMOLITION OF THE POST OFFICE”**

**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:

1. Environmental Clean Up and Demolition of the Post Office

**CA-13 Authorizing a Cooperative Pricing System Between the Borough of Fort Lee, Passaic Valley Sewerage and Various Municipalities for the Participation in the NJ CSO Group**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING EXECUTION OF A COOPERATIVE PRICING SYSTEM AGREEMENT WITH PASSAIC VALLEY SEWERAGE COMMISSION**

**WHEREAS**, the Borough of Fort Lee is a member of the New Jersey Combined Sewer Overflow (NJ CSO) Group led by the Passaic Valley Sewerage Commission (PVSC) and abide by the Cooperative Pricing System agreement which was filed with the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

**WHEREAS**, the current Cooperative Pricing System agreement for the Baseline Compliance Monitoring Program and Receiving Water Quality Model development expires on December 15, 2021; and

**WHEREAS**, the cost share of the Borough of Fort Lee for participation in the system update will not exceed \$15,000; and

**WHEREAS**, the Superintendent of Public Works requests the Governing Body of the Borough of Fort Lee adopt a resolution authorizing the proper Borough officials to enter into a new Cooperative Pricing System Agreement with PVSC, manager of the NJ CSO Group, in connection with NJ CSO Group’s System for Public Notification of Combined Sewer Overflows (CSO) and CSO DMRs-CSO Alert System Update which is required to comply with the Borough’s Combined Sewer Management Permit. This Agreement will allow the Borough of Fort Lee to achieve the requirements set forth by the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency in a much more cost-effective manner; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available from Account No. 01-2010-31-4551-279 and appropriated for this purpose, charging the amount of \$15,000.00 to the respective account of the Municipal Budget, which is on file in the Borough Clerk’s Office; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Fort Lee authorizes the proper Borough Officials to enter into a new Cooperative Pricing System Agreement with the Passaic Valley Sewerage Commission, manager of the NJ CSO Group, in connection with NJ CSO Group’s System for Public Notification of Combined Sewer Overflows (CSO) and CSO DMRs-CSO Alert System Update which is required to comply with the Borough’s Combined Sewer Management Permit.

**CA-14 Authorizing the Award of a Contract to Boswell Engineering for Engineering and Construction services Related to Project Known as Improvements to 9<sup>th</sup> Street, Jane Street, Anne Street, and 11<sup>th</sup> Street, Not to Exceed \$14,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO BOSWELL ENGINEERING FOR PROJECT KNOWN AS IMPROVEMENTS TO 9<sup>TH</sup> (NINTH) STREET, JANE STREET, ANNE STREET AND 11<sup>TH</sup> (ELEVENTH) STREET**

**WHEREAS**, there exists a need for the Borough of Fort Lee (“Borough”) to retain the services of a licensed engineer to provide engineering and construction inspection services for project known as 9<sup>th</sup> (Ninth) Street, Jane Street, Anne Street and 11<sup>th</sup> (Eleventh) Street in the Borough; and

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

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

**WHEREAS**, the Borough wishes to retain the services of Boswell Engineering to perform such professional engineer services in accordance with its proposal, dated June 29, 2021 attached hereto; and

**WHEREAS**, Boswell Engineering possesses the requisite expertise and skilled personnel required to provide engineering and construction inspection services to 9<sup>th</sup> (Ninth) Street, Jane Street, Anne Street and 11<sup>th</sup> (Eleventh) Street to consist of the milling and resurfacing of the roadways. Curb ramps will be upgraded as required in accordance with current ADA requirements and drainage inlets will be retrofitted/replaced to conform to current NJDOT and NJDEP regulations; and

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

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

**WHEREAS**, pursuant to Resolution R-10, duly adopted by the Borough on January 7, 2021, Boswell Engineering was awarded a contract pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq. to serve as Borough Engineer; and

**WHEREAS**, the professional engineering services for this phase of the project will be performed by Boswell Engineering at a cost not-to-exceed \$14,000.00, and the contract for such professional engineering services is awarded pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available for this purpose from account number 01-2010-20-1652-216, said certification being attached to this resolution:

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

1. That Boswell Engineering shall be and is hereby appointed to provide professional engineering and construction inspection services regarding project known as 9<sup>th</sup> (Ninth) Street, Jane Street, Anne Street and 11<sup>th</sup> (Eleventh) Street in accordance with its proposal, dated June 29, 2021, attached hereto and made a part hereof, for a cost not-to-exceed \$14,000.00.

2. That upon 80% completion of the engineering work pursuant to this resolution, Boswell Engineering shall provide written notice to the Borough Clerk as to whether the services will be completed within the budget established for the services. If the services are expected to exceed the budget, Boswell Engineering shall submit a detailed cost overrun schedule for review and consideration by the Borough.

3. That Boswell Engineering 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.

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

5. That the Chief Financial Officer has certified that funds are available for this purpose.

6. That no further action of the Borough shall be required.

**CA-15 Authorizing the Award of a Contract to D.L.S. Contracting, Inc Regarding Project Known as Improvements to 9<sup>th</sup> Street, Jane Street, and Anne Street, Not to Exceed \$94,436.85**

**A RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT TO D.L.S. CONSTRUCTING, INC. FOR THE CONSTRUCTION OF IMPROVEMENTS AS PART OF THE 2021 CDBG ROAD RESURFACING PROGRAM FOR PROJECT KNOWN AS IMPROVEMENTS TO 9<sup>TH</sup> (NINTH) STREET, JANE STREET AND ANNE STREET**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee (“Borough”) have determined that it is necessary to contract for the construction of improvements as part of the 2021 Road Resurfacing Program in the Borough to conform to current New Jersey Department of Transportation and New Jersey Department of Environmental Protection regulations; and

**WHEREAS**, on prior occasion pursuant to duly adopted resolutions, the Borough awarded a contract to Boswell Engineering to provide services as a licensed engineer for the preparation of construction plans and bid specifications for the implementation of the 2021 Road Program; and

**WHEREAS**, on May 26, 2021, pursuant to resolution and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Borough publicly advertised and solicited bids for the construction of improvements as part of the Borough’s 2021 Road Resurfacing Program; and

**WHEREAS**, on June 10, 2021, bids were received from the following bidders in response to the Borough’s public solicitation of bids for the construction of improvements as part of the 2021 Road Resurfacing Program:

DLS Contracting, Inc. Fairfield, New Jersey	\$94,436.85
Frank A. Macchione Construction Rochelle Park, New Jersey	\$119,026.21
AJM Contractors Clifton, New Jersey	\$128,347.75

4 Clean-Up, Inc. \$128,637.75  
North Bergen, New Jersey

**WHEREAS**, after a review of the bids, the Borough has determined that the bid submitted by DLS Contracting, Inc. is in compliance with the requirements of the bid specifications and that DLS Contracting, Inc. constitutes the lowest, responsible and complying bidder for the construction of improvements as part of the 2021 Road Resurfacing Program; 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 numbers 02-2660-00-0000-026 - Improvements to Jane Street -, 01-2030-41-8832-001 - Improvements to Jane Street and Anne Street and 01-2010-41-8902-001 - 9<sup>th</sup> Street Reconstruction - for the construction of improvements as part of the 2021 Road Resurfacing Program, said certification being attached to this resolution; and

**WHEREAS**, the Borough has determined that the award of a contract to DLS Contracting, Inc. for the construction of improvements as part of the 2021 Road Resurfacing Program is necessary for its efficient operations;

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

1. That DLS Contracting, Inc., 36 Montesano Road, Fairfield, New Jersey, 07004 is the lowest responsible and compliant bidder and is awarded a contract for the construction of improvements as part of the 2021 Road Resurfacing Program, in accordance with the applicable bid documents and specifications in the amount of \$94,436.85.
2. That the Mayor be and is hereby authorized to execute a contract with the DLS Contracting, Inc. for the provision of services for the construction of improvements as part of the 2021 Road Resurfacing Program.
3. That the Chief Financial Officer has certified that funds are available for the construction of improvements as part of the 2021 Road Resurfacing Program.
4. That the bid security of the remaining bidders be returned in accordance with N.J.S.A. 40A:11-1 et seq.
5. That a copy of this resolution, the bid specifications and bids, and contract shall be maintained in the Borough Clerk's Office and made available for public inspection.
6. That this Resolution shall take effect immediately.

**CA-16 Endorsing the Fort Lee Assistance Support Housing (F.L.A.S.H.) Corporation, for Improvements to 8<sup>th</sup> Street Gardens, 2486 8<sup>th</sup> Street, \$74,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE ENDORSING THE  
FORT LEE HOUSING AUTHORITY 'S 2020 COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM APPLICATION FOR IMPROVEMENTS  
TO 8<sup>TH</sup> STREET GARDENS**

**WHEREAS**, a Bergen County Community Development Grant in the amount of \$74,000.00 has been proposed by the **Fort Lee Assistance and Support Housing (F.L.A.S.H.) Corporation, for improvements to 8<sup>th</sup> Street Gardens, located at 2486 8<sup>th</sup> Street**, in the municipality of the Borough of Fort Lee; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development Funds may not be spent in a municipality without authorization by the Mayor and Council; and,

**WHEREAS**, the aforesaid project is in the best interest of the people of Fort Lee and the County of Bergen; and,

**WHEREAS**, this Resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of Fort Lee hereby confirms endorsement of the aforesaid project;

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be immediately postage mailed and e-mailed to the Director of the Bergen County Division of Community Development; One Bergen County Plaza, 4<sup>th</sup> Floor; Hackensack, New Jersey 07601: [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us) so that implementation of the aforesaid project may be expedited.

**CA-17 Authorizing the Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE ANNUAL APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE  
FY 2021 - 2022 Covering Period of July 1, 2021 through June 30, 2022**

**WHEREAS**, the Borough of Fort Lee has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2021-2022 term starting July 1, 2021 and ending on June 30, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council hereby appoints **Evelyn Rosario** as its representative and **Patrick Ferrara** as its alternate and that the Mayor hereby appoints **Al Restaino** as his representative and **Matthew Rutch** as his alternate to serve on the Community Development Regional Committee for FY 2021-2022; and

**BE IT FURTHER RESOLVED** that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us) as soon as possible and no later than Friday, July 30, 2021.

**CA-18 Authorizing the Execution of a Shared Services Agreement with the Fort Lee Board of Education for the Use of Certain Facilities for Recreational Purposes**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE FORT LEE BOARD OF EDUCATION FOR THE USE OF CERTAIN FACILITIES FOR RECREATIONAL PURPOSES**

**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**, the Board of Education of the Borough of Fort Lee ("Board") in the County of Bergen, was established in accordance with N.J.S.A. 18A:10-1 et seq.; and

**WHEREAS**, the Borough and the Board desire to provide for a sharing of

various municipal services through the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., that will result in efficiencies for the benefits of the citizens of the Borough; and

**WHEREAS**, the Board currently owns certain facilities that the Borough wishes to utilize for recreational purposes for the benefit of the citizens of the Borough; and

**WHEREAS**, the Board is willing make available to the Borough such certain facilities to be described in a shared services agreement between the Board and the Borough in exchange for compensation to be agreed upon by the parties; and

**WHEREAS**, the entry into a shared services agreement with the Board for the use of certain facilities owned by the Board to provide recreational facilities for the benefit of the citizens of the Borough will result in cost savings to both the Borough and the Board; and

**WHEREAS**, the shared services agreement will have a term of five (5) years, and may be extended for such additional periods at the mutual option of both the Borough and the Board; and

**WHEREAS**, the Borough wishes to enter into a shared services agreement for the use of certain facilities owned by the Board to provide recreational facilities for the benefit of the citizens of the Borough; and

**WHEREAS**, the entry into the shared services agreement with the Board complies with the Uniform Shared Services and Consolidation Act and is in the best interests of the Borough;

**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 entry into the shared services agreement with the Board is pursuant to and in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., and is hereby authorized.
2. That the Mayor shall be and is hereby authorized to execute an agreement between the Borough and the Board, memorializing the terms and conditions for the use of certain facilities owned by the Board to provide recreational facilities for the benefit of the citizens of the Borough, subject to review and revision by the Borough Attorney.
3. That upon execution of the shared services agreement, this resolution, and the shared services agreement between the parties, upon finalization, shall be available for public inspection in the Office of the Borough Clerk.
4. That no further action of the Borough shall be required.

**CA-19 Authorizing the Award of a Contract to Hudson Operating Co. D/B/A Galaxy Management for the Provision of Programming and Operation at the Barrymore Film Center and Museum, Not to Exceed \$43,200.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL CONSULTING SERVICES TO HUDSON OPERATING CO. D/B/A GALAXY MANAGEMENT**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee have determined there is a continuing need for consulting services regarding the programming and operation at the Borough's proposed Barrymore Film Center and Museum as part of the Eastern Parcel for Redevelopment Area 5; and

**WHEREAS**, the Borough wishes to retain the services of a management company to provide technical advice and expertise with regard to the proposed Barrymore Film Center and Museum; and

**WHEREAS**, on prior occasions pursuant to duly adopted resolutions, the Borough awarded annual contracts to Hudson Operating Co., Inc. d/b/a Galaxy Management (“Galaxy”) for the provision of technical advice and expertise pertaining to the proposed Barrymore Film Center and Museum; 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**, services to provide technical advice and expertise on the proposed Barrymore Film Center and Museum are recognized as “professional services” as these services are deemed to be original and creative in character in a recognized field of artistic endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

**WHEREAS**, the services to be performed by the consultant are professional services and this contract is awarded without competitive bidding as a “professional service” pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Borough wishes to retain the services of Galaxy to perform such professional consulting services in accordance with its proposal, dated April 30, 2021, and attached hereto; and

**WHEREAS**, Galaxy possesses the requisite expertise and skilled personnel required to provide professional consulting services in the form of technical advice and expertise related to the proposed Barrymore Film Center and Museum; and

**WHEREAS**, the Mayor and Council of the Borough desire to award a contract for professional consulting services to Galaxy in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

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

**WHEREAS**, the professional consulting services related to the proposed theater/museum will be performed by Galaxy for annual compensation in an amount not to exceed \$43,200.00, to be paid at a monthly rate of \$3,600 based upon a rate of \$60.00 per hour as reflected in Galaxy’s proposal; and

**WHEREAS**, because the annual compensation to be paid to Galaxy exceeds the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq., the contract is subject to the provisions of the New Jersey Local Unit Pay-To-Play Law; and

**WHEREAS**, the receipt of a proposal from Galaxy to provide professional consulting services was pursuant to a non-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**, Galaxy is required to complete and submit at least ten (10) days prior to the award of a contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the Borough in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have been submitted by Galaxy, indicating that Galaxy has not made any reportable contributions to a political or candidate committee in the Borough in the prior year, and shall be placed and maintained on file at the office of the Borough Clerk; and

**WHEREAS**, the Borough's Chief Financial Officer has reviewed the Borough's available funds and has determined that sufficient funds are available for this purpose from account number 04-2150-55-2007-001 to award a contract for professional consulting services pertaining to the proposed Barrymore Film Center and Museum, said certification being attached to this resolution; and

**WHEREAS**, the award of a contract for professional consulting services for planning, outfitting, construction and programming at the Borough's proposed Barrymore Film Center and Museum is in the best interests of the Borough and its citizens; and

**WHEREAS**, the Borough has determined that the award of this contract is necessary for its continued efficient operation.

**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 Hudson Operating Co., Inc. d/b/a Galaxy Management shall be and is hereby appointed to perform professional consulting services in the form of technical advice and expertise related to the programming and operation at the Borough's proposed Barrymore Film Center and Museum, in accordance with its proposal, dated April 30, 2021, attached hereto and made a part hereof.

2. That the Mayor shall be and is hereby authorized to execute a contract between the Borough and Hudson Operating Co., Inc. d/b/a Galaxy Management, providing for annual compensation in an amount not to exceed \$43,200.00, and further memorializing the scope of work and such other terms and conditions as may be necessary.

3. That a notice of the contract award shall be published, and this Resolution and the contract must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

4. That the Chief Financial Officer has certified as to the availability of funds for this purpose.

5. That no further action of the Borough shall be required.

**CA-20 Authorizing the Renewal of Limousine License SS Smile Limo, LLC for the January 1, 2021, Through December 31, 2021, Licensing Period**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF A LIMOUSINE LICENSE FOR THE YEAR 2021**

**BE IT RESOLVED**, by Governing Body of the Borough of Fort Lee that the following license is hereby renewed for the 2021 licensing period with a term expiring December 31, 2021.

**LIMOUSINES** - Chapter 372, Article II  
**SS Smile Limo, LLC**  
**1605 John Street , Suite 303**

**CA-21 Authorizing the Appointment of Sharon Hwang as a Summer Intern in the Mayor's Office Commencing July 7, 2021, and Ending August 2021, \$12.00 Hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE APPOINTMENT OF A SUMMER INTERN IN THE MAYOR'S OFFICE**

**WHEREAS**, during the summer months, an intern position exists with our Mayor's Office, and the Mayor and Council have determined that the positions should be

filled,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee, that **Sharon Hwang** be appointed as a summer Intern, of which said position will be compensated at \$12.00 hourly and **will commence on July 7, 2021 for every Wednesday and Thursday from 10 AM to Noon** and ending at the end of August 2021.

**CA-22 Authorizing the Endorsement of a Community Development Block Grant Program Application for Project Known as Reconstruction of 9<sup>th</sup> Street and 11<sup>th</sup> Street, \$100,000.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE ENDORSING A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AN UNPROGRAMMED FUND APPLICATION FOR THE RECONSTRUCTION OF 9<sup>TH</sup> STREET AND 11<sup>TH</sup> STREET**

**WHEREAS**, a Bergen County Community Development Block Grant Program Unprogrammed Fund application of \$100,000.00 has been proposed by the Borough of Fort Lee for the Reconstruction of 9<sup>th</sup> Street and 11<sup>th</sup> Street; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, it has been determined that the aforesaid project is in the best interest of the people of the Borough of Fort Lee; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite approval of the aforesaid CDBG funds.

**WHEREAS**, this resolution shall supersede any prior resolutions relating to this grant; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

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

**BE IT FURTHER RESOLVED**, that the Mayor Mark J. Sokolich is hereby authorized to execute a grant agreement and documents for acceptance

**CA-23 Authorizing the Acceptance of a Community Development Block Grant for Project Known as Reconstruction of 9<sup>th</sup> and 11<sup>th</sup> Street, \$100,000**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING A GRANT FROM THE COUNTY OF BERGEN DIVISION OF COMMUNITY DEVELOPMENT IN THE AMOUNT OF \$100,000 FOR 9<sup>TH</sup> STREET AND 11<sup>TH</sup> STREET IMPROVEMENTS**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$100,000 in Community Development Block Grant funds for rehabilitation of 9<sup>th</sup> Street and 11<sup>th</sup> Street; and

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

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

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

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

**BE IT FURTHER RESOLVED**, this resolution shall supersede any prior resolutions relating to this grant; and

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

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer. The Consent Agenda regarding CA-1 through CA-23 was approved on the following roll call:

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

**RESOLUTIONS**

**R-1 Authoring the Renewal of Liquor License No. 0219-33-047-009 HOF Enterprises, Inc., Pocket License for Licensing Term July 1, 2021, Through June 30, 2022**

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

July 8, 2021  
Regular Session Meeting

Resolution # R-1

Carried: X Defeated:      Tabled:     

Approved on Consent Agenda:     

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING RENEWAL OF LIQUOR LICENSE NO. 0219-33-047-009 "HOF ENTERPRISES INC. " (POCKET LICENSE) SPECIAL RULING N.J.S.A. 33:1 -12.39 GRANTED FOR LICENSING TERM 2021-2022**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to "HOF Enterprises, Inc." license number 0219-33-047-009 effective July 1, 2021 through June 30, 2022.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for said license.

**BE IT RESOLVED**, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling (N.J.S.A. 33:1-12.39) petition and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0219-33-047-009 for the **2021-2022 license term.**

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the license be and is hereby renewed for the licensing period of July 1, 2021, through June 30, 2022.

**R-2 Authoring the Renewal of Liquor License No. 0219-33-040-012 Arcadian Holdings, LLC, Pocket License for Licensing Term July 1, 2021, Through June 30,**

**2022**

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

July 8, 2021  
Regular Session Meeting

Resolution # R-2

Carried: X Defeated:     Tabled:    

Approved on Consent Agenda:    

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING RENEWAL OF LIQUOR LICENSE NO. 0219-33-040-012 “ARCADIAN HOLDINGS, LLC ” (POCKET LICENSE) SPECIAL RULING N.J.S.A. 33:1 -12.39 GRANTED FOR LICENSING TERM 2021-2022**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to “Arcadian Holdings, LLC” license number 0219-33-040-012 effective July 1, 2021 through June 30, 2022.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for said license.

**BE IT RESOLVED**, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling (N.J.S.A. 33:1-12.39) petition and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0219-33-047-012 for the **2021-2022 license term.**

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the license be and is hereby renewed for the licensing period of July 1, 2021, through June 30, 2022.

**R-3 Authorizing the Appointment of Jane Cho as a Trustee to the Friends of the Fort Lee Film, Inc. for a Term Expiring December 31, 2022**

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

July 8, 2021  
Regular Session Meeting

Resolution # R-3

Carried: X Defeated:     Tabled:    

Approved on Consent Agenda:    

**RESOLUTION OF THE BOROUGH OF FORT LEE APPOINTING A TRUSTEE TO THE FRIENDS OF FORT LEE FILM, INC. FOR A TERM OF 2 YEARS**

**BE IT RESOLVED** , by the Governing Body of the Borough of Fort Lee that Jane Cho be appointed as a Board of Trustee to the Friends of Fort Lee Film, Inc., for a term of 2 years expiring December 31, 2022.

**R-4 Approving and Authorizing the Execution of a Developer ’s Agreement Between the Borough of Fort Lee and Ladderman Views, LLC, 2021-2025 Jones Road**

Council	Motion	Second	Yes	No	Abstain	Absent
Sohmer		X	X			
Yoon			X			
Suh			X			

July 8, 2021  
Regular Session Meeting

Resolution # R-4

Carried: X Defeated:     Tabled:    

Approved on Consent Agenda:

Sargenti						X
Kasofsky			X			
Cervieri	X		X			

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPER 'S AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND LADDERMAN VIEWS, LLC**

**WHEREAS**, on November 10, 2020, the Fort Lee Zoning Board of Adjustment (“Zoning Board”) granted approvals to Ladderman Views, LLC (the “Developer”) for the construction of a four (4) story-18 unit multi-family development on property known as Block 3562, Lot 2 & 3, also known as 2021-2025 Jones Road (the “Property”); and

**WHEREAS**, on November 30, 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 Joseph R. Mariniello, 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.

**R-5 Approving and Authorizing the Execution of a Developer 's Agreement Between the Borough of Fort Lee and Edwin Estates, LLC, 2040 Edwin Ave**

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

July 8, 2021 Regular Session Meeting  Resolution # R-5  Carried: <u>X</u> Defeated: ___ Tabled: ___ Approved on Consent Agenda: ___
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\*Mayor Sokolich recused

\*Council President Cervieri presided over this portion of the meeting

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPER 'S AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND EDWIN ESTATES, LLC**

**WHEREAS**, on December 8, 2020, the Fort Lee Zoning Board of Adjustment (“Zoning Board”) granted approvals to Edwin Estates, LLC (the “Developer”) for the construction of a five (5) story 20-unit multi-family development on property known as Block 4458, Lot 13, also known as 2040 Edwin Avenue (the “Property”); and

**WHEREAS**, on December 22, 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 Joseph R. Mariniello, 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.

**R-6 Authorizing the Hiring of Part-Time Seasonal Employees in the Stage/Event Crew Department, Effective July 1, 2021, Through December 31, 2021, \$10.00 - \$23.50 Hourly**

Council	Motion	Second	Yes	No	Abstain	Absent	July 8, 2021 Regular Session Meeting  Resolution # R-6  Carried: <input checked="" type="checkbox"/> Defeated: <input type="checkbox"/> Tabled: <input type="checkbox"/> Approved on Consent Agenda: <input type="checkbox"/>
Sohmer		X	X				
Yoon			X				
Suh					X		
Sargenti						X	
Kasofsky			X				
Cervieri	X		X				

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF SUMMER AND FALL SEASONAL EMPLOYEES**

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

**NOW, THEREFORE, BE IT RESOLVED** that the below listed individuals will be hired as summer and fall seasonal employees in the Department listed, 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 retroactive to July 1 through December 31, 2021;**

NAME	POSITION	DEPARTMENT	HOURLY RATE:
Baek, Cameron	Events Crew	Community Center - Stage	\$12.50
Basantes, Rodrigo	Events Crew	Community Center - Stage	\$15.00
Abascal, Scott	Events Crew	Community Center - Stage	\$18.00
Ghali, Sam	Director of Stage Events	Community Center - Stage	\$23.50
Lozano, David	Events Crew	Community Center - Stage	\$10.50
Mateus, Andy	Events Crew	Community Center - Stage	\$10.50
Salamah, Sebastian	Events Crew	Community Center - Stage	\$10.50
Soliman, Romie	Events Crew	Community Center - Stage	\$10.00
Soliman, Hisham	Events Crew	Community Center - Stage	\$10.00
Labib, Benjamin	Events Crew	Community Center - Stage	\$10.00

**R-7 Authorizing the Borough Tax Collector to Adjust the Improvements Value Following Fire Damage at 2365 Hudson Terrace, Fort Lee, New Jersey for the Period of July 1, 2021, to December 31, 2021**

Council	Motion	Second	Yes	No	Abstain	Absent	July 8, 2021 Regular Session Meeting  Resolution # R-7  Carried: <input checked="" type="checkbox"/> Defeated: <input type="checkbox"/> Tabled: <input type="checkbox"/> Approved on Consent Agenda: <input type="checkbox"/>
Sohmer		X	X				
Yoon			X				
Suh			X				
Sargenti						X	
Kasofsky			X				

Cervieri	X		X			
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**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE BOROUGH TAX COLLECTOR TO ADJUST THE IMPROVEMENT VALUE FOLLOWING FIRE DAMAGE AT 2365 HUDSON TERRACE, FORT LEE, NEW JERSEY**

**WHEREAS**, the Knightsbridge apartment complex, a five-story apartment building located at 2365 Hudson Terrace, was the subject of a fire on June 5, 2021; and

**WHEREAS**, said fire resulted in the destruction of the apartment building, which building collapsed following the fire; and

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee, by adoption of this Resolution, directs the Borough Tax Assessor to determine the present improvement value following the fire in accordance with accepted tax practices and to advise the Mayor and Council of his determination; and

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee authorize the Borough Tax Collector to cancel the taxes related to the value of the improvements for the property for the period of July 1, 2021 to December 31, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the Borough Tax Assessor be and is hereby authorized and directed to investigate and determine the improvement value at 2365 Hudson Terrace, Fort Lee, New Jersey, following the fire and to advise the Mayor and Council of same so that the assessed value shall be accordingly adjusted by the Borough Tax Collector.

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is authorized to cancel the taxes related to the value of the improvements from July 1, 2021 to December 31, 2021.

**BE IT FURTHER RESOLVED** that the Borough Tax Collector shall provide appropriate credits for said reduced taxes in accordance with the determination of the Borough Tax Assessor.

**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, Borough Tax Assessor and Borough Tax Collector.

**COUNCIL REPORTS**

**Councilman Sohmer** - He mentioned on Tuesday July 13<sup>th</sup> Music and Movies in the Parks will resume. Please check the Borough website for the schedule.

**Mayor Sokolich** - He reminded everyone to continue practicing social distancing.

**Councilman Yoon** - He wished everyone a happy and safe summer.

**Councilman Suh** - He welcomed Lauren Schoen, Board of Education Interim Superintendent of Schools. To take part in the search for a fulltime Superintendent, surveys can be found on the Board of Education website.

He mentioned Fort Lee Night Out will resume on August 3<sup>rd</sup>. The St Rocco’s Feast will be held August 5<sup>th</sup> through August 8<sup>th</sup> on lower Main Street.

**Councilwoman Kasofsky** - She mentioned the Community Gardens are flourishing and we are considering a third garden.

She mentioned the library is open with full use of computers and programs.

**Councilman Cervieri** -He mentioned the Mayor and Council Members were represented at a fully attended Korean War Memorial.

He mentioned a video will be posted on our Borough Website instructing how to fill out Building Department and Fire Prevention Bureau permits that will soon be fully processed online.

### **PUBLIC PARTICIPATION**

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

The following residents came forward and spoke of the proposed project known as Palisades Interstate Park and expressed their concerns regarding the parking situation that may arise, inability of truck access to the road, removal of trees, loss of environmental clean air, natural habitat, current walking paths, new gathering area, attraction from across the bridge, and the need for another field:

1. Maurice Shulman 2200 N. Central Road
2. June Ruggiero 2195 N. Central Road
3. Zoe Zachariadis 2205 N. Central Road
4. Alejandra Jimenez 2215 N. Central Road
5. Ms. Madison 2200 N. Central Road

Mayor Sokolich and members of the Council responded that they appreciate their comments and will take their concerns into consideration. Regular police patrol will limit use to only Fort Lee residents, the Grand Fondo will no longer host their race once the park is opened. They expressed the new borough owned park will accommodate the 45 thousand residents in Fort Lee and everyone will be updated during development.

1. Neil OKarter Knightsbridge Fire 2365 Hudson Terrace 5-B

- a. Tax relief on the back end of improvements.

Mayor Sokolich stated Resolution R-7 approved at this evening's meeting provides tax relief to the resident of Knightsbridge.

- b. Event's leading up to the fire incident, specifically the hoarder apartment, Unit 2-E.

Fire Official Steve Curry gave a brief timeline description of events and inspections involving "red tagged" unit 2-E leading up to the incident that potentially started therein. Fire Official Curry also introduced Inspector Mary Boujotas of the Fire Prevention Bureau and Inspector Erin DePalma of the Health Department, as the "Fort Lee Hoarder Task Force."

2. Lori Perucci Knightsbridge Fire 2365 Hudson Terrace 4-D

- a. Timeline of electric being shut off and turned on for unit 2-E.

Fire Official Steve Curry gave a brief timeline description and stated on June 2<sup>nd</sup> the red tag was removed from the unit and electric was turned on.

- b. Will our belongings be laid out for unit owners to sift through the debris prior to demolishing the structure?

Mayor Sokolich responded the Borough has no jurisdiction on demolishing the structure as it is an engineering determination or allowing items to be retrieved and laid out as it is of the insurance company's determination, unsafe and costly.



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