

MAYOR AND COUNCIL
WORK SESSION MEETING MINUTES
MARCH 7, 2019 at 6:30 P.M.

SALUTE TO THE FLAG

The Work Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Sohmer, Yoon, Suh,
Sargenti, Cervieri

ABSENT: Councilwoman Kasofsky

ALSO PRESENT: Alfred Restaino, Borough Administrator
Evelyn Rosario, Borough Clerk
J. Sheldon Cohen, Borough Attorney

OPEN PUBLIC MEETINGS ACT STATEMENT

In accordance with Chapter 231, P.L. 1975 adequate notice of this meeting was e-mailed on January 4, 2019 to the Record, the Jersey Journal and the Star Ledger. A meeting time change notice was e-mailed to the Record and Jersey Journal on February 27, 2019. Said notice was also posted on the Borough Hall bulletin board and Borough website.

RESOLUTION FOR CLOSED SESSION TO DISCUSS:

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

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

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

1. **Personnel:**
 - a. Administration
 - b. Community Center
 - c. Health Department
 - d. Police Department
 - e. Recreation Department
2. **Contracts:**
 - a. Consultant Barrymore Film Center & Museum
3. **Legal:**
 - a. Dyker Ridge Settlement

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

The open portion of the work session will resume upon completion of the closed portion.

The closed session portion of the meeting ended at 8:08 P.M. The open portion of the work session began at 8:10 P.M.

GENERAL DISCUSSION

Fort Lee High School Debate Club

Ms. Suzanne Elkhechen, Advisor to the Fort Lee High School Debate Club, came forward and stated that the Fort Lee High School debate club would like to be more involved with the community. Prior to attending the meeting, she spoke with the Mayor regarding her desire to involve the Fort Lee High School Debate Club with the Mayor and Council. Following discussions, it was decided that starting in April the Debate Club would use the Council Chambers at 6:00 PM and prior to the Mayor and Council meeting for monthly debate. The Mayor indicated that the topics and logistics would be worked out prior to the event.

Further comments dealt with possible ways to publicize the debates and the possibility of taping the debates for cable television; etc. Six high school students came forward and introduced themselves and expressed their desire to become more involved in their town.

Library Support

Councilman Cervieri provided an overview of the proposed facilities upgrades in the Library.

Ms. Chris Yurgelonis, Library Director came forward and thanked the Governing Body for all of their support. She gave a brief update of the Library's growth, potential growth, activities; increase in book circulation and activities.

Paige Soltinao, Library Board Member came forward and indicated that the library hired as a consultant to assist in fund raising efforts. She also mentioned a community survey, where 179 community members were interviewed and answered a series of questions that will be used to assist with future growth plans. She also asked if the Governing Body could support the library and its fundraising efforts.

Mayor Sokolich stated that he is confident that the Governing Body can come to an agreement to assist the Library.

Saint Rocco Italian American Feast

Representatives from Saint Rocco came forward and requested permission to hold the annual Saint Rocco Italian American Feast August 7th - August 11th.

A resolution authorizing same will be placed on the March 14th proposed consent agenda.

Request from Babe 's Taxi to Increase the Minimum Taxi Fare From \$2.75 First Four-Ninths of a Mile to a Minimum of \$4.75 First Four-Ninths of a Mile

It was the consensus of the Governing Body to amend the Borough code to increase the minimum taxi fare from \$2.75 for the first four-ninths of a mile to a minimum of \$4.75 for the first four-ninths of a mile.

An amending ordinance will be placed on the March 14th regular session meeting for introduction.

Relocation of Various Election Polling Places

Clerk Rosario provided an update on the proposed polling relocation places. She stated that based upon the concerns brought to her attention by the Board of Elections, a further review of the plan to relocate various polling locations was conducted. A request to relocate District #11, from School #2, 2047 Jones Road to Fire Co. #3, 557 Main Street was sent to the Board of Elections for review and consideration. Also, the County was advised that district #10 will remain at the Fort Lee Museum in the main room instead of the annex.

Request from the Business District Alliance to Review Zoning Laws

No discussion held. Hold over to the next meeting

Dispensary Legislation

Councilman Suh stated that based on the previous resolution approved, Mr. Restaino should be authorized to issue a letter of support to companies that are seeking to submit an application for approval as a dispensary in Fort Lee to the State of New Jersey.

The Governing Body requested that Mr. Cohen provide them with additional information related to Councilman Suh's inquiry and report back.

2019 Municipal Budget and Capital Improvements

Administrator Restaino briefly reviewed the 2019 capital improvements requests as attached to the minutes.

He stated the municipal budget will be introduced at the April 11th regular session meeting and that based upon current projections he is expecting no increase in taxes. He provided an overview of factors that affect the budget and indicated that he is satisfied with the efforts of all to ensure a fiscally responsible budget.

2018 Budget Transfers

A resolution authorizing 2018 budget transfers will be placed on the March 14th regular session agenda.

Change Order No. 1; DLS Contracting, Inc. for Project Known as "2019 Road Resurfacing Program"

A resolution authorizing change order #1 regarding project known as the 2019 road resurfacing program will be placed on the March 14th proposed consent agenda.

Change Order No. 7; Dobco Inc., for Project Known as the Barrymore Film Center & Museum

A resolution authorizing change order # 7 regarding project known as the Barrymore Film Center and Museum will be placed on the March 14th proposed consent agenda.

Sewer and Street Opening Fees

Also Present: Mr. Edward Mignone, Assistant Borough Engineer

Mr. Mignone came forward and provided information on current sewer fees. He recommended the following changes to chapter 336 "Sewers, Article X Licenses of the Borough code.

Current

The fee to be charged for a license or permit issued pursuant to the provisions of this chapter shall be as follows:

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Permit Fee

\$200 per unit

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**Bond for
Inspection**

Sludge removal permit \$25 \$50

Inspection fee: \$25 per inspection minimum.

Proposed

The fee to be charged for a license or permit issued pursuant to the provisions of this chapter, unless otherwise specified by formal agreement or ordinance, shall be as follows:

Type of License or Permit	Permit Fee	Inspection Fee
For a connection to a separate public sewer, for residential property	\$750 per unit	\$500
For a connection to a separate public sewer, for commercial property	\$1,500 per unit	\$500
For a connection to a combined public sewer, for residential property	\$1,000 per unit	\$500
For a connection to a combined public sewer, for commercial property	\$2,500 per unit	\$500
For disconnection from combined or separate public sewer	\$250 per unit	\$200
Connection to separate storm facilities	\$1,000 per unit	\$200

For each license or permit issued pursuant to the provisions of this chapter, there shall also be an additional impact fee for new construction, unless otherwise specified by formal agreement or ordinance, as follows:

One-Family Home	\$1,000
Two-Family Home	\$2,000
Greater than a Two-Family Home	\$2,000, plus \$500 per each additional unit
Commercial	\$5,000

Upon conclusion of discussion regarding sewer fees, Mr. Mignone provided information on Chapter 360 Streets and Sidewalks, Article III Street Openings.

Mr. Mignone indicated that he has found some inconsistencies in the code and is going to be recommending changes upon conclusion of additional research.

Proposal for Engineering Services for Project Known as “Abbott Boulevard Streetscape”

A resolution authorizing the award of a contract for professional engineering services to Neglia Engineering Associates regarding project known as Abbott Boulevard Streetscape will be placed on the March 14th proposed consent agenda.

Fort Lee Green Team Monthly Dog Training Events

At this point in the meeting Mayor Sokolich exited the meeting and was not present for the remainder of the meeting.

Council President Suh presided over the remainder of the meeting.

A resolution approving and sponsoring the Fort Lee Green Team’s dog training events at the Fort Lee Dog Park on the first Saturday of each month at 11:00 A.M. will be placed on the March 14th proposed consent agenda.

Place-to-Place Liquor License Transfer Tang Two Corporation T/A Tang Two Asian Fusion Cuisine, 2052 Hudson Street

A resolution authorizing a place-to-place transfer of liquor license # 0219-33-004-009, Tang Two Corporation T/A Tang Two Asian Fusion Cuisine, 2052 Hudson Street will be placed on the March 14th proposed consent agenda.

Proposal for Environmental Oversight for Project Known as the “Barrymore Film Center & Museum”

A resolution authorizing the award of a contract for environmental oversight of the capping, vapor mitigation system installation and environmental consulting related to project known as “Construction of the Barrymore Film Center & Museum” will be placed on the March 14th proposed consent agenda.

RESOLUTIONS (Action to be taken)

R-1 Award of Emergency Contract for the Provision of the Demolition of the Linwood Park Building

No action taken.

R-2 Award of Contract for Emergency Repairs for Bluff Road Pump Station

Councilman introduced Cervieri, and Councilman Sohmer seconded, the following resolution:

A RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT FOR THE PROVISION OF EMERGENCY REPAIRS TO THE BLUFF ROAD PUMP STATION

WHEREAS, an emergency condition existed that potentially threatened the health, safety and welfare of citizens of the Borough of Fort Lee (“Borough”); and

WHEREAS, there was an imminent threat that the roof at the Bluff Road Pump Station in the Borough would collapse and there was a need for the provision of emergency services to install temporary shoring both inside the pump station and the wet well side of the building; and

WHEREAS, the Mayor and Council of the Borough wish to award a contract for the emergency repair of the Bluff Road Pump Station in the Borough; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically N.J.S.A. 40A:11-6, provides that an emergency contract may be negotiated or awarded without public advertising for bids and bidding, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

WHEREAS, N.J.S.A. 40A:11-6 establishes a procedure for the award of an emergency contract that requires a written notification as to the need for the performance of the contract, the nature of the emergency, the time of its occurrence and the need to award an emergent contract; and

WHEREAS, the Borough’s Administrator has prepared the notification and authorized the procurement of proposals from companies selected based upon their expertise in this area and having previously performed services for the Borough in the past to the Borough’s satisfaction; and

WHEREAS, pursuant to the Local Public Contracts Law, the Borough has declared an emergency and solicited proposals for the performance of services to repair the Bluff Road Pump Station in the Borough on an emergent basis (the “Work”); and

WHEREAS, in response to the emergent solicitation, J. Fletcher Creamer & Son, Inc. (“Creamer”) submitted a proposal, which is attached hereto as Exhibit A and incorporated herein by reference, to the Borough to provide the required Work in accordance with the terms and conditions set forth in this Agreement; and

WHEREAS, Creamer is engaged in the business of performing such Work and has demonstrated its competency from time to time with respect to other contract services for the Borough; and

WHEREAS, the Mayor and Council, after evaluation of the Creamer proposal submitted pursuant to the emergent solicitation, have determined that Creamer is competent and qualified to perform the Work and that Creamer's proposal represents the lowest cost to the Borough for the requisite Work, and has decided to award an emergent contract to Creamer; and

WHEREAS, the award of an emergency contract to Creamer is necessary for the protection of the health, safety and welfare of the public and for the Borough's efficient operations; and

WHEREAS, the Chief Financial Officer's Certificate of Availability of Funds is on file with the Borough Clerk, indicating that funds are available for this contract through the Borough's 2019 Capital Account, said certification being attached to this resolution;

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

1. That J. Fletcher Creamer & Son, Inc. be and is hereby awarded a contract in the amount of \$340,430 based upon having submitted the lowest, responsible estimate for the performance of emergency repairs to the Bluff Road Pump Station in the Borough.

2. That the Mayor be and are hereby authorized to execute an agreement with J. Fletcher Creamer & Son, Inc. in accordance with its proposal.

3. That notice of the contract award be published in accordance with the provisions of N.J.S.A. 40A:11-1 et seq.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the contract for the implementation of the Borough's 2019 Capital Account; and

BE IT FURTHER RESOLVED that the Creamer proposal and contract be made available in the Borough Clerk's Office.

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

PUBLIC PARTICIPATION

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

<u>Speaker</u>	<u>Topic</u>	<u>Response</u>
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No public comments.

There being no further discussions the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sohmer, at 9:58 P.M.

Evelyn Rosario, RMC
Municipal Clerk