

REGULAR MEETING

MAYOR AND COUNCIL

Thursday, April 11, 2019 @ 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, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Al Restaino, Borough Administrator
Evelyn Rosario, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Matthew Rutch, Chief Financial Officer
Steven Wielkotz, CPA, RMA, Borough Auditor

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. Said notice was also posted on the Borough Hall bulletin board and Borough website. A copy of this notice is on file in the Office of the Borough Clerk.

MAYOR'S REPORT AND ANNOUNCEMENTS

“Just a few brief opening remarks. I mean, I hate to say it, but we have not had a run like this in quite some time. But Fort Lee has lost yet another iconic resident, a gentleman by the name of Lou Azzollini. I know a lot of you knew him very, very well. The entire town pretty much knew him, even peripherally. But he was a wonderful, wonderful guy, committed to community, committed to our Film Commission, committed to the Historic Preservation. He was a character in the truest sense of the word and in the most positive sense of the word. He added personality wherever he went, he was warm, he was welcoming, he was helpful. And I know, from my perspective and I know I speak on behalf of Government and everybody up here, he will be sorely missed. So, Lou, we hope that you are looking, we know you are looking down upon us, probably doing exactly what you want to do, which is driving around in your Thunderbird, enjoying an old film and just probably volunteering somewhere and making sure that you are devoting your time and your effort to the better good, which is something you dedicated your life to. So, God bless Lou Azzollini.

A quick parking deck update. We are now in April and we are hopeful that we are in a one-week to ten-day window, where that deck will soon begin to accept cars and will have more than ample parking for commuters, businesses, residents alike. We should be starting construction on the liner building in the very near future. That liner building will consist of our Post Office on the ground floor, on the middle floor the Parking Authority and on the top floor, which is also very exciting, our Board of Education. It is centrally located so that anybody that needs to visit the Authority, or the Board of Ed will have more than ample parking and brand-new offices and those departments and agencies will be in a position to even better serve the public. So, we are excited about that. And, of course, the Post Office on the ground floor, this is something long overdue in Fort Lee. Our current Post Office is in a complete state of disrepair. I would say ten-percent of the building is actually used, it is not handicap accessible, and Fort Lee will soon be in a position to boast a state-of-the-art Post Office. Where that Post Office is now, we will introduce yet another public park to our inventory of public parks here in the Borough of Fort Lee. We propose it to be a passive park, where you can meet friends, where you can gather, where you can just go for a quiet respite right there in the middle

of Main Street, which we think is also a pretty cool initiative.

I am happy to report the Fort Lee paving initiative is well under way. We are still dealing with the remnants of the PSE&G gas main replacement. For those of you that live near or on or traverse Palisade Avenue, we are in the middle of, actually we are more than 50% done completely paving all four lanes of Palisade Avenue from Main Street all the way down to Columbia, parts of Route 5 going down to Edgewater, parts of Columbia and the entire way up to Anderson Avenue by the gas station. So, we are excited about that. That is the major paving initiative, however there is about three or four more other crews that are milling tonight, tomorrow and for the next several days, so a lot of the side roads that are in bad shape will get a brand new surfacing in the very near future so that this whole gas main replacement will soon be a distant memory and our residents will once again be able to enjoy brand new streets.”

PRESENTATIONS

The Mayor asked Tom Meyers to come forward to make the following Arbor Day Award and presentation with members of the Fort Lee Historic Preservation Committee. The award was presented to Councilwoman Kasofsky for her creation of the Community Gardens and her efforts and creation of the Green Team. Councilman Sohmer presented the plaque stated:

“The Fort Lee Historic Preservation Commission & The Fort Lee Environmental & Beautification Committee Presents Its 2019 Arbor Day Award To

Fort Lee Councilwoman Ila Kasofsky

For the Creation of the Fort Lee Green Team and Environmental Initiatives for the Borough of Fort Lee, NJ.

Presented April 11, 2019.”

Mr. Meyers stated that the Historic Preservation Award will be presented to the Borough at the Rambo House on June 1st. That award will be for the renovation of the Municipal Courtroom and Council Chambers.

APPROVAL OF MINUTES

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the February 7, 2019 Work Session were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the February 21, 2019 Special Session were approved.

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried unanimously, the minutes of the March 7, 2019 Work Session were approved. Councilwoman Kasofsky abstained.

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried unanimously, the minutes of the March 14, 2019 Regular Session were approved. Councilwoman Kasofsky abstained.

INTRODUCTION OF ORDINANCES

Ord. #2019-7 “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2019” (Public hearing May 9, 2019)

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2019-7 entitled “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2019” (Public hearing May 9, 2019)

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **May 9, 2019**.

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

Ord. #2019-8 “AN ORDINANCE AMMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED, HANDICAPPED PARKING SPACES ” (Public hearing May 9, 2019)

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2019-8 entitled “AN ORDINANCE AMMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED, HANDICAPPED PARKING SPACES” (Public hearing May 9, 2019)

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **May 9, 2019**.

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

Ord. #2019-9 “A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY ” (Public hearing May 9, 2019)

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, Ord. #2019-9 entitled “A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$4,461,700 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,238,615 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF” (Public hearing May 9, 2019)

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **May 9, 2019**.

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

ORDINANCE PUBLIC HEARINGS

Ord. #2019-4 “AN ORDINANCE AMMENDING CHAPTER 336 SEWERS, ARTICLE X, SECTION 2, FEES FOR LICENSES AND PERMITS, 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. #2019-4 entitled “AN ORDINANCE AMMENDING CHAPTER 336 SEWERS, ARTICLE X, SECTION 2, FEES FOR LICENSES AND PERMITS, OF THE CODE OF THE BOROUGH OF FORT LEE”

“AN ORDINANCE AMENDING CHAPTER 336 SEWERS, ARTICLE X,

**SECTION 2 , FEES FOR LICENSES AND PERMITS, 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 336 Sewers, Section 45 Fees for Licenses and Permits, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 336-45 Fees for Licenses and Permits, Paragraph A Fee to be Charged, shall hereby be deleted and replaced with the following:

A. 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

B. 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

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

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

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

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

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

Ord. #2019-5 “AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, ARTICLE I, 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. #2019-5 entitled “AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, ARTICLE I, SECTION 2,

FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE”

“AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, ARTICLE I, 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
- 2 Deputy Chief
- 3 Captains
- 9 Lieutenants
- 12 Sergeants; the total combined Sergeants and Lieutenants shall not exceed 21
- 71 Police Officers, or higher, not to exceed the Department's full complement of officers
- 3 Special Law Enforcement Class III (SLEO III) officers

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

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

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

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

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

Ord. #2019-6 “AN ORDINANCE AMENDING CHAPTER 372 TAXIS AND LIMOUSINES, ARTICLE I TAXICABS, SECTION 24 RATES POSTED; MAXIMUM RATES, OF THE CODE OF THE BOROUGH OF FORT LEE ”

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, the public hearing was opened relative to Ord. #2019-6 entitled “AN ORDINANCE AMENDING CHAPTER 372 TAXIS AND LIMOUSINES, ARTICLE I TAXICABS, SECTION 24 RATES POSTED; MAXIMUM RATES, OF THE CODE OF THE BOROUGH OF FORT LEE”

AN ORDINANCE AMENDING CHAPTER 372 TAXIS AND LIMOUSINES, ARTICLE I TAXICABS, SECTION 24 RATES POSTED; MAXIMUM RATES, 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 372, Taxis and Limousines, Article I Taxicabs, Section 24 Rates Posted; Maximum Rates, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 372-24 Rates Posted; Maximum Rates, Subsection C, is hereby replaced with the following providing for the maximum rates that may be charged:

- C. The maximum rates which may be charged are as follows:
- (1) Four dollars seventy-five cents for the first four-ninths of a mile and \$0.35 for each additional one-ninth of a mile.
 - (2) One dollar fifty cents for each three minutes or portion thereof of waiting time.
 - (3) Fuel surcharge.
 - (a) In addition to the fares set forth in Subsection C(1) and C(2) hereof, a fuel surcharge may be charged to any user of a taxicab. The fuel surcharge shall be computed by deducting \$1.12 per gallon from the certified price of gasoline per gallon that the taxicab company is paying during the month in which the surcharge is sought. The resultant figure shall then be divided by 10 to determine the fuel surcharge per mile that the taxicab company may charge. The resultant figure shall be designated as the fuel surcharge increase. Every taxicab owner shall charge the fuel surcharge increase as follows: for zero to two miles of travel, two times the surcharge increase; for the next two to five miles of travel, five times the surcharge increase; for the next five to 10 miles of travel, 10 times the surcharge increase; for the next 10 to 15 miles of travel, 15 times the surcharge increase; for the next 15 to 20 miles of travel, 20 times the surcharge increase; for the next 20 to 25 miles of travel, 25 times the surcharge increase; and for over 25 miles of travel, 25 times the surcharge increase. Notwithstanding anything to the contrary set forth herein, the surcharge for any one trip shall not exceed \$2.
 - (b) Notwithstanding anything to the contrary set forth in Subsection C(3)(a) herein, fuel surcharge increase shall only be charged in increments of \$0.05. If a fuel surcharge increase as calculated is greater than \$0.00 but less than \$0.05, then no such surcharge shall be collectable. If a fuel surcharge increase is calculated to be greater than a five-cent increment but less than the next higher five-cent increment, then the surcharge collectable shall be the next lower five-cent increment which does not exceed the surcharge.
 - (c) Each taxicab shall have posted in the passenger compartment a notice setting forth the surcharge rate and how it was determined.
 - (d) The taxicab companies shall certify in affidavit form their cost of gasoline during any month in which a surcharge is being imposed. No surcharge shall be charged until this affidavit is submitted to the Borough Clerk.

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

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

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

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

AYES: Council Members Yoon, Suh, Sargenti, Kasofsky, Cervieri
ABSTAINED: Councilman Sohmer

PUBLIC HEARING AND ADOPTION
2019 BOROUGH OF FORT LEE SPECIAL IMPROVEMENT
DISTRICT BUDGET

Councilman Cervieri made a motion to open the public hearing, and motion

seconded by Councilman Sohmer.

Councilman Cervieri made a motion to close the public hearing, and motion seconded by Council woman Kasofsky .

BE IT RESOLVED that the total amount to be raised by the Special Improvement District tax is anticipated to be **\$667,315.71**. The total anticipated general appropriations for 2019 at adoption is **\$1,237,315.71**.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Fort Lee does hereby adopt the following as the Fort Lee Special Improvement District Budget for year 2019 (Available in the office of the Borough Clerk):

Mayor Sokolich acknowledged Stuart Koperweis, Executive Director of the Business Alliance of Fort Lee. Mr. Koperweis spoke about an update to the branding campaign and approval of the streetscape capital improvements initiative for the west end of Main street.

Councilman Cervieri made a motion to adopt the 2019 Budget of the Fort Lee Special Improvement District motion seconded by Councilman Sohmer.

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

INTRODUCTION OF THE 2019 MUNICIPAL BUDGET

Councilman Cervieri introduced, and Councilman Suh seconded, the following Resolution:

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 2019; and

BE IT FURTHER RESOLVED, that said budget be published in The Record in the issue of Thursday, April 18, 2019.

The Governing Body of the Borough of Fort Lee does hereby approve the following as the Budget for year 2019 available in the office of the Borough Clerk):

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

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

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 11, 2019. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on May 9, 2019 at 7:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

PROPOSED CONSENT AGENDA

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

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.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$23,384,783.46
Current - Grant	1,121.40
Capital	407,937.52
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	3,373.00
Trip Admissions	1,080.00
Special Dog Account	
Trust Account Fund	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	285.50
Community Development	
Redemption Account	
School Resource Account	
Dedicated Penalties (Fire Prevention)	1,296.25
POAA	
Cop Card Donation	
Police Treasury	43,288.41
Police Justice	
Flexible Spending	
Trust Account	
Developers BOFNJ	28,899.44
Developers B of America	<u>3,424.00</u>
Total:	\$23,875,488.98

CA-2 Authorize Payment of Marriage License Fees to the State of New Jersey Department of Treasury, January 1, 2019 through March 31, 2019, \$950.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING MARRIAGE LICENSE PAYMENT FEES TO THE STATE OF NEW JERSEY

BE IT RESOLVED, that the Tax Collector-Treasurer be authorized to draw a check drawn from the Current Account, Bank of America payable to the Treasurer, State of New Jersey, in the amount of **\$950.00** to cover fees collected for marriage licenses for the period covering January 1, 2019 through **March 31, 2019**. Fees are to be forwarded on a quarterly basis to the Department of Human Services;

Account No. 01-2887

CA-3 Approving Firefighter Full Membership Application for Andres Posada, Fire Co. 2

The Firefighter Full Membership Application for Andres Posada, Fire Company #2 was approved.

CA-4 Accepting Resignation Notice from Melissa Gallo, Public Safety

Telecommunicator, effective March 18, 2019

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE
RESIGNATION NOTICE OF MELISSA GALLO**

BE IT RESOLVED that **Melissa Gallo, Public Safety Telecommunicator** of the **Communications Center** has formally submitted a resignation notice dated March 22, 2019 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Ms. Gallo's resignation from this position will be **effective retroactive to March 18, 2019** with the Borough of Fort Lee, as she has accepted the position of Police Officer with the Borough of Fort Lee.

CA-5 Accepting Retirement Notice from Elizabeth Sassani , Department of Public Works, Effective Retroactively to April 1, 2019

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE
RETIREMENT NOTICE OF ELIZABETH SASSANI**

BE IT RESOLVED that **Elizabeth Sassani, Building Maintenance Worker** of the **Public Buildings and Grounds Department** has submitted her retirement notice dated March 31, 2019 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Ms. Sassani's retirement will be **effective retroactive to April 1, 2019** with the Borough of Fort Lee.

BE IT FURTHER RESOLVED that the Mayor and Council extend their best wishes to Ms. Sassani on her retirement.

CA-6 Authorize the Hiring of Ashley Degidio as a Full-Time Truck Driver Department of Public Works, Effective April 5, 2019, Annual Salary \$42,450.53

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF
ASHLEY DIGIDIO AS A FULL-TIME TRUCK DRIVER WITH THE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Ashley DiGidio has been employed by the Borough of Fort Lee as a part time seasonal worker and the Department of Public Works has requested the Mayor and Council to authorize a full-time position for said employee; and,

WHEREAS, the Mayor and Council of the Borough of Fort Lee, have authorized **Ashley DiGidio** to be appointed to a full-time position of **Truck Driver** at the Department of Public Works, **with an effective date of April 15, 2019** ; and

BE IT FURTHER RESOLVED that this appointment shall be provisional pending certification from the New Jersey Civil Service Commission and shall be at an annual salary of **\$42,450.53, Grade 10 Step A** , pursuant to the Salary Ordinance of the Blue Collar Contract.

CA-7 Authorizing the Transfer of Christina Kim from the Municipal Court to the Tax Assessor's Office, Effective May 6, 2019, Annual Salary \$41,880.00

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE TRANSFER
OF CHRISTINA KIM FROM THE MUNICIPAL COURT
TO THE TAX ASSESSOR'S OFFICE**

WHEREAS, due to a retirement in the Tax Assessor's Office, the Mayor and Council have determined that this position should be filled; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that **Christina Kim**, a current full-time employee of the Borough with the Municipal Court, be transferred to the **Tax Assessor's Office** in her current title of **Keyboarding Clerk 1** with an effective date of **May 6, 2019**; and

BE IT FURTHER RESOLVED that this appointment shall be permanent and at an annual salary of **\$41,880-**, pursuant to the Salary Ordinance of the White-Collar Contract.

CA-8 Authorizing the Award of a Contract to Professor Richard Koszarski for the Provision of Consulting Services Related to the Barrymore Film Center and Museum, Not to Exceed \$21,000.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL CONSULTING SERVICES TO PROFESSOR RICHARD KOSZARSKI PERTAINING TO THE BOROUGH'S JOHN BARRYMORE FILM CENTER AND MUSEUM

WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") have determined there is a need for the Borough to obtain professional consulting services with regard to the Borough's planned John Barrymore Film Center and Museum as part of the Eastern Parcel for Redevelopment Area 5; 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 with regard to the proposed theater/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 Professor Richard Koszarski for a term of one year to perform such professional consulting services in accordance with his proposal, attached hereto; and

WHEREAS, Professor Koszarski possesses the requisite expertise required to provide professional consulting services related to the Borough's planned John Barrymore Film Center and Museum; and

WHEREAS, the Mayor and Council of the Borough wish to award a contract for professional consulting services to Professor Koszarski 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 Borough's planned John Barrymore Film Center Museum will be performed by Professor Koszarski for annual compensation in an amount not to exceed \$21,000.00, as reflected in his proposal; and

WHEREAS, because the annual compensation to be paid to Professor Koszarski is above 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 award of a contract to Professor Koszarski for the provision of professional consulting services is pursuant to a “non-fair and open” process in accordance with the provisions of New Jersey Local Unit Pay-To-Play Law; and

WHEREAS, pursuant to the New Jersey Local Unit Pay-To-Play Law, Professor Koszarski 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 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, certifying that Koszarski has not made any reportable contributions to a political or candidate committee in the prior year, have been submitted and shall be kept on file in the Borough Clerk’s office; and

WHEREAS, the Borough’s Chief Financial Officer has reviewed its available funds and has determined that sufficient funds are available to award a contract for professional consulting services pertaining to the Borough’s John Barrymore Film Center and Museum, said certification being attached to this resolution; and

WHEREAS, the award of a contract for professional consulting services related to the Borough’s John Barrymore Film Center and Museum is in the best interests of the Borough; and

WHEREAS, the Borough has determined that the award of this contract 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. Professor Richard Koszarski shall be and is hereby appointed to perform professional consulting services related to the Borough’s planned John Barrymore Film Center and Museum, in accordance with its proposal, attached hereto and made a part hereof, for a term of one year.
2. The Mayor shall be and is hereby authorized to execute a contract between the Borough and Professor Koszarski, providing for annual compensation in an amount not to exceed \$21,000.00, and further memorializing the scope of the services and such other terms and conditions as may be necessary.
3. A notice of the contract award shall be published, and this resolution must be available for public inspection, in accordance with the Local Public Contracts Law.
4. The Chief Financial Officer shall certify as to the availability of funds for this purpose.
5. No further action of the Borough shall be required.

CA-9 Authorizing the Award of a Contract to McNerney & Associates, Inc. for the Provision of Professional Appraisal Services Regarding Property Known as 2125 Center Avenue, Not to Exceed \$7,500.00

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

WHEREAS, the owner of property located at 2125 Center Avenue “Property”), in the Borough of Fort Lee (“Borough”) has filed a complaint with the Tax Court challenging the Borough’s total assessment for the property for the years of 2014 through 2019; and

WHEREAS, there exists a need for the Borough to retain the services of a licensed appraiser to provide professional appraisal services related to the complaint filed with the Tax Court challenging the Borough’s total assessment for the Property; and

WHEREAS, on January 3, 2019, pursuant to duly adopted Resolution R-28A, the Mayor and Council of the Borough awarded a contract for the performance of professional appraisal services on an as-needed basis to Robert McNerney of McNerney & Associates, Inc. (“McNerney”) in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

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

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

WHEREAS, the Borough wishes to retain the services of McNerney to perform such professional appraisal services with regard to the Property; and

WHEREAS, McNerney possesses the requisite expertise and skilled personnel required to provide professional appraisal services related to the preparation of an appraisal with regard to the Property; and

WHEREAS, the Mayor and Council of the Borough are desirous of awarding a contract for professional appraisal services to McNerney in accordance with the procedures mandated under the Local Public Contracts Law; and

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

WHEREAS, in order for the Borough to defend the assessment of the Property, also known as Block 5251, Lot 2, on the tax map of the Borough, there exists a need for McNerney to perform such appraisal in accordance with its proposal, dated March 28, 2019, attached hereto; and

WHEREAS, the Borough’s Chief Financial Officer has certified that funds are available for these purposes, said certification being attached to this resolution; and

WHEREAS, the award of a contract for preparation of an appraisal with regard to the Property is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough, and

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

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

1. That McNerney, 266 Harristown Road, Glen Rock, New Jersey 07452 shall

be and is hereby appointed to perform professional appraisal services with regard to the Property at a cost of \$7,500 in connection with pending real property Tax Court appeal entitled "Bluegill, LLC v. Borough of Fort Lee," in accordance with its proposal, dated March 28, 2019, attached hereto and made a part hereof.

2. That McNerney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of N.J.S.A. 10:5-31 et seq.

3. That a notice of the contract awards shall be published, and this resolution must be available for public inspection, in accordance with the requirements of the Local Public Contracts Law.

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

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

CA-10 Authorizing the Removal of a Guard Rail Located in the Public Right of Way of 2160 and 2162 Jones Road

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING AND DIRECTING THE REMOVAL OF A GUARD RAIL LOCATED IN THE PUBLIC RIGHT OF WAY OF JONES ROAD TO PERMIT THE DEVELOPMENT OF PROPERTIES LOCATED AT 2160 and 2162 JONES ROAD IN ACCORDANCE WITH ZONING BOARD OF ADJUSTMENT APPROVALS

WHEREAS, 2160 PIC Developers, LLC owns properties located at 2160 Jones Road, identified as Lot 2.01 in Block 5452 and 2162 Jones Road, identified as Lot 2.02 in Block 5452 (the "Properties"), which Properties have received development approvals from the Borough Zoning Board of Adjustment (the "Zoning Board") for the construction of a two family dwelling on each property; and

WHEREAS, an existing guard rail is located within the public right of way of Jones Road in front of each of the Properties which must be removed in order for the Properties to be developed in accordance with the approvals granted by the Zoning Board; and

WHEREAS, pursuant to the development approvals granted by the Zoning Board which require the removal of the guard rail, 2160 PIC Developers, LLC, the owner of the Properties has requested that the Borough of Fort Lee (the "Borough") authorize and direct the removal of the guard rail on Jones Road in front of the Properties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the Borough hereby authorizes and directs the removal of the guard rail on Jones Road in front of the Properties by the appropriate Borough department at the direction of the Borough Administrator.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CA-11 Authorizing the Designation of an Official Signatory for a Bergen County Open Space Trust Fund Grant for Project Entitled "William T. Birch Park Playground Improvements"

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$74,250 matching grant award from the 2018 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled William T. Birch Park Playground Improvements, 150 8th Street located in Blocks 2951,1751, Lot 1,2, on the tax maps of the Borough of Fort Lee;

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

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about March 6, 2021; and,

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

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

CA-12 Authorizing the Execution of an Agreement of Employment of Alfred R. Restaino as Borough Administrator

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXECUTION OF AN AGREEMENT MEMORIALIZING THE TERMS AND CONDITIONS OF EMPLOYMENT OF ALFRED R. RESTAINO AS BOROUGH ADMINISTRATOR

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 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, pursuant to the authority granted to it pursuant to N.J.S.A. 40A:60-7 and N.J.S.A. 40A:9-136 et seq., on prior occasion pursuant to duly adopted ordinance, the Mayor and Council of the Borough created the position of Borough Administrator; and

WHEREAS, the Borough requires the services of a Borough Administrator to manage the day-to-day affairs of the Borough and previously employed Alfred R. Restaino pursuant to duly adopted resolution to perform such services; and

WHEREAS, the Borough and the Borough Administrator have negotiated at arm’s length the terms and conditions of an employment agreement for Alfred R. Restaino to continue to perform the duties of, and serve as, the Borough Administrator; and

WHEREAS, the Mayor and Council of the Borough wish to designate the Mayor to execute the employment agreement on behalf of the Borough; and

WHEREAS, the entry into an employment agreement memorializing the terms and condition for the employment of Alfred R. Restaino to serve as Borough Administrator is in the best interests of the Borough and 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 entry into an employment agreement with Alfred R. Restaino, in substantially the same form as that attached hereto, memorializing the terms and conditions for performance of the duties of Borough Administrator, is hereby authorized in compliance with N.J.S.A. 40A:60-1 et seq.

2. That the Mayor is hereby authorized to execute an employment agreement with Alfred R. Restaino, subject to such modifications as may be deemed necessary by the Borough Attorney.

3. That upon execution of the employment agreement, this resolution and the agreement shall be available for public inspection in the Office of the Borough Clerk.

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

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Suh. The Consent Agenda was approved on the following roll call:

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

RESOLUTIONS

R-1 Approving and Authorizing the Execution of a Developer 's Agreement Between the Borough of Fort Lee and V & R Developers, Inc., 149-155 Myrtle Avenue

*Mayor Sokolich recused and stepped away from the dais. Council President Suh presided over this portion of the meeting

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

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPER 'S AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND V & R DEVELOPERS, INC.

WHEREAS, on August 14, 2018, the Fort Lee Zoning Board of Adjustment ("Zoning Board") granted approvals to V & R Developers, Inc. (the "Developer") for the construction three family dwelling on property known as Block 7156, Lots 9 & 10, also known as 149-155 Myrtle Avenue (the "Property"); and

WHEREAS, on September 11, 2018, 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 the Borough Attorney 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.

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

Suh

R-2 Authorizing and Directing the Fort Lee Planning Board to determine Whether Block 6155, Lot 2, 2143 Hudson Terrace Meet any of the Conditions to be Designated as an Area in Need of Rehabilitation Pursuant to N.J.S.A. 40A:12A-1 ET SEQ.

*Mayor Sokolich and Councilman Cervieri recused and stepped away from the dais. Council President Suh presided over this portion of the meeting

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

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE BOROUGH OF FORT LEE TO DETERMINE WHETHER CERTAIN LANDS, IN PARTICULAR, BLOCK 6155, LOT 2 LOCATED AT 2143 HUDSON TERRACE IN THE BOROUGH OF FORT LEE, NEW JERSEY, MEET ANY OF THE CONDITIONS TO BE DESIGNATED AS AN AREA IN NEED OF REHABILITATION , PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Borough of Fort Lee (the “Borough”) has identified certain property located at 2143 Hudson Terrace, specifically Lot 2 in Block 6155, as delineated on the tax map attached hereto (the “Property”) and made part of this resolution, to be considered for designation as an “area in need of rehabilitation”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of rehabilitation, it is necessary for the Borough to determine if there exists in that area any of the conditions set forth in N.J.S.A. 40A:12A-14.a.;

WHEREAS, on January 18, 2018 the Borough Council designated certain property located at 2100 North Central Road, specifically Lot 1 in Block 6155 as an area in need of rehabilitation, which is adjacent to and is proposed to be redeveloped in conjunction with the Property; and

WHEREAS, the Borough Council hereby authorizes the Borough Planning Board to undertake a study to determine whether Block 6155, Lot 2, also known as 2143 Hudson Terrace, meets any of the conditions for designation as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14 and make any recommendations to the Borough Council prior to any formal designation of the property as an area in need of rehabilitation; and

WHEREAS, the Borough hereby states that any rehabilitation area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for a program of rehabilitation which is expected to prevent further deterioration and promote the overall development of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the Borough Planning Board is hereby directed and authorized to determine whether the lands located at 2143 Hudson Terrace, specifically Lot 2 in Block 6155, as delineated on the tax map attached hereto and made part of this resolution, meets any of the conditions for designation as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14 and make any recommendations to the Borough Council prior to any formal designation of the property as an area in need of rehabilitation.

BE IT FURTHER RESOLVED THAT the no notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall be required.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

R-3 Authorizing Self Examination of the 2019 Municipal Budget

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

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING SELF EXAMINATION OF THE 2019 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Fort Lee has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore

BE IT RESOLVED, by the Borough Council of the Borough of Fort Lee that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT

SERVICES.

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

R-4 Establishing the 2019 Temporary Capital Budget

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

RESOLUTION OF THE BOROUGH OF FORT LEE ESTABLISHING THE 2019 TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Fort Lee desires to establish the 2019 Temporary Capital Budget of said municipality by inserting therein the following project.

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

Section 1. The 2019 Temporary Capital Budget of the Fort Lee is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Fort Lee
County of Bergen, New Jersey
Projects Scheduled for 2019
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Bonds</u>	<u>Self-Liquidat - ing Bonds</u>
Various Improvements	4,461,700			223,085	4,238,615	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2019 Temporary Capital Budget, to be included in the 2019 Permanent Capital Budget as adopted.

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

R-5 Certifying Compliance with the United States Equal Employment Opportunity Commission

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

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.

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

APPOINTMENT

Rent Leveling Board

Fill Unexpired Term Ending December 31, 2019

Mayor Sokolich nominated Paul F. Leale to serve as a member of the Rent Leveling Board to fill the unexpired term of Roy Lippin expiring December 31, 2019.

On motion by Councilman Cervieri, seconded by Councilman Suh, the nomination was **confirmed unanimously**.

COUNCIL REPORTS

Councilman Sohmer - He mentioned the passing of Lou Azzollini. He congratulated Liz Sassani, William Zdanowski, Police Officer Mark Gondola and Chief Bendul on their upcoming retirements.

He stated that the following events are happening on the following dates:

June 2nd is the Arts and Music Festival. They are recruiting vendors for this event.

May 31st - June 2nd is the Fort Lee Fringe Festival including the concert at Main Violin, a barbecue at the Rambo House and culminating with the Arts and Music Festival.

Councilman Yoon - He stated that the following Fort Lee Film Commission events are happening on these dates:

June 29th - August 31st the annual Movies and Music Under the Stars will be held at the Jack Alter Community Center.

He spoke about the progression of the construction of The Barrymore Film Center and he indicated that members of the Fort Lee Film Commission are working hard to get the programming and exhibits in place. The Barrymore Film Center is sponsoring films in Asbury Park through the fall.

Councilman Suh - He stated that the loss of Lou Azzollini was a great loss as a friend and member of the Fort Lee Film Commission. In addition, Fort Lee suffered a great loss in the passing of Dr. Alan Sugarman and an informal remembrance will be held on Saturday, April 13th by the family.

He congratulated the High School theatre program on their performance of Godspell.

He congratulated the 6th graders at School 3 on their win at the DARE games.

Councilman Sargenti - He mentioned that he recently attended a play, The Little Mermaid, at school #3, and he commended the students, teachers and principal on a job well done.

He stated that there is a Pancake Breakfast on April 13th at Firehouse #1 as a fundraiser for Homes for Our Troops. Donations will be accepted.

He stated that prior to the Mayor and Council meeting, there was a debate this evening by the High School and he congratulated the debaters and their teacher.

He also stated that Lou Azzollini left a legacy in Fort Lee and his signs, such as Theda Bara Way, are located throughout the Borough.

He wished everyone a safe Passover and a safe Easter.

Councilwoman Kasofsky - She mentioned the loss of Lou Azzollini will be felt at the street fair and at St. Rocco's. She stated that he designed the Green Team logos.

She stated that the following events are happening on the following dates:

May 14th is the Health Department's 3rd Annual Paint & Sip for Women's Health event with a theme of mindfulness, mind and body.

April 27th the Youth Group is doing an event called YOU, self-care.

June 1st is the Fort Lee Library's 100th anniversary with a celebration, An Evening in the Stacks, beginning at 7:00 p.m. The library has other events throughout April and May.

Councilman Cervieri - He stated the debate team performed spectacularly earlier tonight.

He stated that the Youth Council of Fort Lee has completed its second project - the placing of three recycling bins: one outside the Library, one outside the High School and one to be placed in the new park to be created where the Post Office currently is. He encouraged people to use it and keep Fort Lee green.

He stated that he was glad that the Special Improvement District (SID) Budget was adopted as the improvements in the district have led to more community spirit and promoting our Main Street business district. This summer they will be improving the streetscape from Fletcher Avenue to the Leonia border.

The Library's event, An Evening in the Stacks, is to celebrate the Library's 100th anniversary. Tickets are limited to 200 people and over 45 tickets have already been sold.

He mentioned the loss of Lou Azzollini and that his family donated his artifacts to the Fort Lee Museum. He stated that there are many volunteers and Borough employees that make Fort Lee the great place it is to live and raise a family.

Peter Suh - He mentioned that the Borough is having their first ever Easter egg hunt on Saturday, April 20th at the Recreation Center. He stated that the opening day for softball and baseball is April 27th.

Mayor Sokolich - Please check our website, Facebook page, twitter because there is a lot going on in town and we now have a Social Media Director because there is too much happening to announce at the meetings. It is our responsibility to make sure the residents know about it. We have nixle, our emergency radio station band, YouTube on demand, our newsletter, our video newsletter, our website or Facebook to stay in touch and know what is going on in town.

PUBLIC PARTICIPATION

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

Public Comments:

1. Katherine Howie, 1 Horizon Road: She spoke about issues in her building. Mayor Sokolich and Councilman Cervieri responded.

2. Tom Meyers, Director of Cultural Affairs: He stated that the Fort Lee Historical Society will honor Lou Azzollini on the second Tuesday in June at their meeting. The Fort Lee Film Commission will also honor him in May. Donna Brennan recently did a camera interview with Lou Azzollini at the museum, which will be shown at that time or in the near future.

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

The Mayor wished everyone a Happy Passover and a Happy Easter.

On motion by Councilman Cervieri, seconded by Councilman Suh, and there being no further discussion, the meeting was adjourned with no objections at 8:11 p.m.

Evelyn Rosario, RMC
Municipal Clerk