

## **REGULAR MEETING**

### **MAYOR AND COUNCIL**

**Thursday, May 9, 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 Wielkocz, 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**

"Thank you. Welcome everyone. We have a crowded floor tonight. It is nice to know that everyone is expressing interest in the introduction of our 2019 Budget. Which I am happy, it is the second time I told that joke so for those of you that heard it already, thanks for the second laugh. But again, thank you for attending. And, it is an exciting night, so I am going to just provide a very quick report.

Just a human-interest update. I was alerted, not too long ago by Paul Favia, from our ambulance corps, about a special resident we have here in Fort Lee, one Maria Garcia. And Paul advised me that then the upcoming Sunday was her birthday and he had suggested it would be great if you passed by and wished her a happy birthday. To which I responded, I would love to, but there is forty some odd thousand people in Fort Lee and if I have to go to every birthday party, my wife, for sure, is going to leave me. So, I went, because of, that came out the wrong way, but I went, and I have been to 74 birthdays since. I went because, ask the next question. Mrs. Garcia, on this past Sunday turned, you ready, shoot out a number, 111 years old. So, some quick statistics, she has now lived through 22 Presidents, she does not take not one speck of medicine. She is this vibrant, incredibly friendly woman. I spent the afternoon with her; made me feel so proud that she is in Fort Lee and she is living a comfortable and a healthy life here in our community and I promised her that I was going to wish her a happy birthday on cable TV. So, if everybody, a huge round of applause and let Maria know that she is -----.  
Thank you.

And just one other note, recently an iconic, an iconic individual from east Bergen, Carter Corrison passed away. And I am sure many of you know him. As a matter of fact, his wake at Patti Funeral Home is going on as we speak. I mean, I venture to guess that virtually everyone in the room knows him. Carter was an iconic lawyer, he was a long-term Councilman in the Borough of Englewood Cliffs, I believe he also served as Borough Attorney there for years. Right, Robert? He was an inspiring man. As a young lawyer in law school, I remember graduating and many of us from this area aspired to be

a Carter Corrison. A guy that would take the case that no other lawyer would take and turn it into a winner. A guy that would try it before a jury and you know these are all really cool things. He would handle the most sophisticated cases out there to even the most basic, and he passed away. He has, I believe it is four or five kids, all of whom are all very successful, one of whom runs our Housing Department, another one is our Public Defender. There are all rock stars; he has got a great legacy and just on behalf of the Mayor and Council, we extend our condolences to the entire Corrison family.

With that we are about to get into some business, but just a few words. Tonight, we are going to swear in a new Chief for the Borough of Fort Lee Police Department. I am not going to get into specifics, with regard to our outgoing Chief, Chief Bendul, with whom I have nothing but the greatest of respect and a friendship that has developed now, Keith, **over the last 6 ½ years while you served as Chief, and even before then. I want to thank you for your service and we, of course, will be a little more formal with our gratitude at your retirement, but while everyone was here, I just wanted to let everybody know that, based on my own personal assessment, this man dedicated his life to running this department for the last 6 ½ years. And I cannot begin to tell you the level of commitment that he made to make sure that things were done the right way in the Borough of Fort Lee. And I think the greatest compliment you can pay someone is when other departments mimic you, right. When other departments aspire to be as well run as the Borough of Fort Lee Police Department. We have incredible challenges here, right. I do not know if, do I need to remind you that we are host community to the busiest bridge in the world, with a gateway community to Northern New Jersey. Not everybody, the hundreds of thousands of people that traverse our roadways on a daily basis, not all of them are nice and law-abiding. But it is amazing to me that because of the commitment of the men and women in this room, that we are able to boast that we are one of the safest communities in Northern New Jersey. I have said this a thousand times, without your leadership and your staff and without the commitment of the men and women that comprise the Fort Lee Police Department, we could spend a billion and a half dollars in redevelopment, and we have over the last decade, and that would not be worth a penny if we were not a safe community. It is all about security and it is all about quality of life, and our first responders, namely the Police Department and of course ambulance, fire and OEM. Give yourselves a huge round of applause. Which brings me to this evening's business. Critical, critical to the success of these departments we collectively believe, as government, is leadership and making sure that the right leaders are there. And I can tell you, in my 12 years in serving up here, I have been blessed with some great leaders as Chiefs, and Chief Bendul was no exception to that. So, Chief, I plan on thanking you more formally and in a better way in the not-too-distant future, but while everyone was convened here, I wanted to just extend to you on behalf of the Mayor and Council, we are eternally grateful and in your debt for the commitment that you have given to this community. Your legacy will live on for many, many years, and you should be very proud of what you have accomplished here. So, thank you very, very much.**

Which brings us to the business this evening. We are about to adopt two Resolutions. One Resolution will be for the approval of the appointment of the Deputy Police Chief and the second will be the adoption of a Resolution appointing our new Police Chief. As I said before, leadership is critically important. I would like to think we have achieved some pretty cool things over the last ten years because we got great leadership up here in this Council. And that is, the Police Department is no exception to that. I will also tell you this: that I have been doing this for a long time and these decisions are not easy because the quality of folks that are before us for consideration for this position are all incredible, incredible life-long committed law enforcement individuals. So, it is just such a great benefit, and it is just a wonderful thing to be able to have the ability to choose from the talent pool that we have here in the Borough of Fort Lee. And I say it to you from the bottom of my heart.”

## **POLICE DEPARTMENT PROMOTIONS/RESOLUTIONS & OATHS OF OFFICE**

### **R-1 Authorizing the Promotion of Captain Stephen Gallagher to Deputy Police Chief of the Fort Lee Police Department**

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

**AUTHORIZING THE PROMOTION OF CAPTAIN STEPHEN GALLAGHER TO  
DEPUTY POLICE CHIEF  
OF THE FORT LEE POLICE DEPARTMENT**

**WHEREAS** , the Mayor and Council of the Borough of Fort Lee wish to promote **Captain Stephen Gallagher** to the rank of **Deputy Police Chief** with an effective date of June 1, 2019; and,

**NOW, THEREFORE, BE IT RESOLVED** that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary of \$205,000.00 as outlined by contract. Which is approved hereby, by reference. Both this appointment and contract are not final and binding until and unless approved by the NJ Division of Civil service.

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

**R-2 Authorizing the Promotion of Captain Matthew Hintze to Police Chief of the Fort Lee Police Department**

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

**AUTHORIZING THE PROMOTION OF CAPTAIN MATTHEW HINTZE TO  
POLICE CHIEF OF THE FORT LEE POLICE DEPARTMENT**

**WHEREAS** , the Mayor and Council of the Borough of Fort Lee wish to promote **Captain Matthew Hintze** , to the rank of **Police Chief** with an effective date of June 1, 2019; and

**NOW, THEREFORE, BE IT RESOLVED** that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary of \$210,000.00 as outlined by contract. Which is approved hereby, by reference. Both this appointment and contract are not final and binding until and unless approved by the NJ Division of Civil service.

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

**POLICE STATEMENT BY POLICE CHIEF KEITH BENDUL**

He thanked the Mayor and Council for their support over the years. He stated that it has been his honor and privilege to serve the community for the past **30 years, the past 6 ½** years as Chief of Police. He thanked his wife and daughters for their support. He further stated that it has been his pleasure to serve with the best officers and civilians as Chief of Police.

He stated that this is only the 11<sup>th</sup> time for this ceremony in the department's history - the promotion of a Police Chief. He thanked the families, friends, active and retired officers, including Honorary PBA members for attending tonight.

He asked Stephen Gallagher to come before the Mayor and Council for his swearing in with his family, while he read his biography. Mayor Sokolich administered the oath of

office and swore Stephen Gallagher in as Deputy Police Chief. His daughter Leslie held the bible, his son Sean pinned his badge. Also joining them were his brothers, Sergeant Frank Gallagher, Elizabeth Police Department and John Gallagher, retired U.S. Marshall.

He asked Matthew Hintze to come before the Mayor and Council for his swearing in with his family, while he read his biography. Mayor Sokolich administered the oath of office and swore Matthew Hintze in as Police Chief. His daughter Ava and son James held the bible, his wife, Fort Lee Police Detective Deborah Siracuse, pinned his badge. Also joining them was his mother, JoAnn Tarabola.

### **POLICE STATEMENT BY INCOMING POLICE CHIEF MATTHEW HINTZE**

He thanked everyone for coming tonight. He thanked the Mayor and Council and Borough Administrator for their faith and support in him as well as their commitment to public safety by providing the necessary resources needed to do the job. He thanked Chief Bendul and retired Chiefs Ripoli and Tessaro, all of whom he worked with. He also thanked his family and friends for their support and encouragement throughout his career, with a special thank you to his mother, wife and children.

**Mayor Sokolich** - He read a special proclamation from our legislative delegation as follows: "State of New Jersey, State and General Assembly Citation. Congratulations to Matthew John Hintze upon his appointment as Chief of Police in Fort Lee, New Jersey by the citizenry of the 37<sup>th</sup> New Jersey Legislative District through his elected representatives, Senator Loretta Weinberg, Assembly Members Gordon M. Johnson and Valerie Vainieri Huttle. Signed by Loretta Weinberg, Gordon Johnson and Valerie Huttle."

At this point in the meeting Mayor Sokolich requested a brief recess.

On motion by Councilman Cervieri, seconded by Councilman Suh, a brief recess was approved and taken at 7:40 P.M.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the meeting was reconvened at 7:58 P.M.

### **APPROVAL OF MINUTES**

None

### **INTRODUCTION OF ORDINANCES**

**Ord. #2019-10 "AN ORDINANCE AMENDING SALARY ORDINANCE NO. 2018-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2017-2020" (Public hearing June 13, 2019)**

\*Councilman Sargenti abstained and stepped away from the dais.

On motion by Councilman Cervieri, seconded by Council woman Kasofsky , and

carried, **Ord. #2019-10** entitled “AN ORDINANCE AMENDING SALARY ORDINANCE NO. 2018-4 ESTABLISHING SALARAIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2017-2020” 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 **June 13, 2019**.

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

**Ord. #2019-11 “AN ORDINANCE AMENDING ORDINANCE NO. 2019-1 ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TAX ASSESSOR AND CERTAIN NON-UNION EMPLOYEES FOR 2017-2021 ” (Public Hearing June 13, 2019)**

**On motion by Councilman Cervieri, seconded by Councilman Suh, and carried, Ord . #2019-11** entitled “AN ORDINANCE AMENDING ORDINANCE NO. 2019-1 ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TAX ASSESSOR AND CERTAIN NON-UNION EMPLOYEES FOR 2017-2021” 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 **June 13, 2019**.

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

### **ORDINANCE PUBLIC HEARINGS**

**Ord. #2019-7 “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2019”**

**On motion by Councilman Cervieri, seconded by Councilman Suh, and carried, the public hearing was opened relative to Ord. #2019-7** entitled “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2019”.

### **CALENDAR YEAR 201 9 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Borough Council of the Borough of Fort Lee in the County of Bergen finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$598,524.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Fort Lee, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Fort Lee shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$2,094,837.33, and that the CY 2019 municipal budget for the Borough of Fort Lee be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

**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 "**

**On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to 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"**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "HANDICAPPED PARKING SPACES"**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE as follows:

**Section I:** Chapter 388, Section 69, Schedule XXIII, is hereby amended and supplemented so as to **add** the following as a handicapped parking space:  
**"388-69": Starting at the apex of Center Avenue and Slocum Way progress 615 feet east on the north curb line of Slocum Way then extending another 22 feet for a total of 637 feet. This spot should be in front of 275 Slocum Way along the north curb line.**

**Section II:** The provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

**Section III:** In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent herewith.

**Section IV:** This Ordinance shall take effect immediately upon final passage and publications according to 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. #2019-9 "A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY "**

**On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to 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".**

**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.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$4,461,700, and further including the aggregate sum of \$223,085 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,238,615 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be

issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<p>a) <b><u>Police Department</u></b></p> <p>1) The acquisition of Easter Symphony consoles and Microsoft Office licensing, including all related costs and expenditures incidental thereto.</p> <p>2) Interview Room recording infrastructure, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$865,000</p> <p>\$28,300</p>	<p>\$821,750</p> <p>\$26,885</p>	<p>5 years</p> <p>10 years</p>
<p>b) <b><u>Fire Prevention</u></b></p> <p>1) The acquisition of sport utility vehicles, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of a body for a truck, including all related costs and expenditures incidental thereto.</p>	<p>\$41,900</p> <p>\$20,700</p>	<p>\$39,805</p> <p>\$19,665</p>	<p>5 years</p> <p>15 years</p>
<p>c) <b><u>EMS</u></b></p> <p>The acquisition of portable radios, including all related costs and expenditures incidental thereto.</p>	<p>\$39,400</p>	<p>\$37,430</p>	<p>10 years</p>
<p>d) <b><u>Information and Technology</u></b></p> <p>Upgrades to access control system, camera system, computer network, servers, personal computers, printers and copiers and the acquisition of telephone desk sets and software licensing, including all work and materials necessary therefor and incidental thereto and</p>			

further including all related costs and expenditures incidental thereto.	\$104,000	\$98,800	5 years
<b>e) <u>Stage</u></b>			
1) The acquisition of lighting fixtures, including all related costs and expenditures incidental thereto.	\$37,500	\$35,625	10 years
2) The acquisition of a media server, including all related costs and expenditures incidental thereto.	\$15,800	\$15,010	5 years
<b>f) <u>Cultural and Heritage Affairs</u></b>			
The acquisition of computers, including all related costs and expenditures incidental thereto.	\$16,700	\$15,865	5 years
<b>g) <u>Fire Department</u></b>			
1) Upgrade to the self-contained breathing apparatus system and the acquisition of fire fighting gear and hardware and software for the computer system, including all related costs and expenditures incidental thereto.	\$637,200	\$605,340	5 years
2) Upgrades to the phone system, including all work and materials necessary therefor and incidental thereto.	\$10,500	\$9,975	10 years
3) Maintenance and repairs to firehouses and the replacement of roofs, bay doors and building doors, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$200,000	\$190,000	15 years
<b>h) <u>Roads</u></b>			
1) The acquisition of a pick-up truck, including all related	\$40,200	\$38,190	5 years

costs and expenditures incidental thereto.			
2) Repairs to sewers, pump stations and waterways, including all work and materials necessary therefor and incidental thereto.	\$770,000	\$731,500	20 years
3) Repairs to various roads, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$120,000	\$114,000	10 years
4) The acquisition of a generator and the replacement of the roof and other repairs to the Bluff Road Pump Station, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$567,000	\$538,650	15 years
<b>i) Ambulance</b>			
1) The replacement of the bay floor, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$26,500	\$25,175	5 years
2) The replacement of the roof, windows and heating system, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$179,000	\$170,050	15 years
<b>j) Administration</b>			
1) The acquisition of a phone			

system, including all related costs and expenditures incidental thereto.	\$202,000	\$191,900	10 years
2) Repairs to various Borough buildings, including all work and materials necessary therefor and incidental thereto.	<u>\$540,000</u>	<u>\$513,000</u>	15 years
Total	<u>\$4,461,700</u>	<u>\$4,238,615</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.45 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the

Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,238,615, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

- (d) An aggregate amount not exceeding \$215,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

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

**PUBLIC HEARING ON THE SUBMISSION OF ONE 2019 BERGEN COUNTY TRUST FUND GRANT APPLICATION**

"SUBMISSION OF ONE 2019 BERGEN COUNTY TRUST FUND GRANT  
APPLICATION FOR PARK DEVELOPMENT: CONSTITUTION PARK AT 2020  
FLETCHER AVENUE"

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and carried, the public hearing was opened relative to the "SUBMISSION OF ONE 2019 BERGEN COUNTY TRUST FUND GRANT APPLICATION FOR PARK DEVELOPMENT: CONSTITUTION PARK AT 2020 FLETCHER AVENUE"

There being no public comments, the public hearing relative to the "SUBMISSION OF ONE 2019 BERGEN COUNTY TRUST FUND GRANT APPLICATION FOR PARK DEVELOPMENT: CONSTITUTION PARK AT 2020 FLETCHER AVENUE" was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer.

**R-3 Resolution of the Borough of Fort Lee Authorizing the Submission of a Bergen County Open Space, Recreation, Floor Plain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Application**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, RECREATION, FLOOR PLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (BERGEN COUNTY TRUST FUND) GRANT APPLICATION.**

**WHEREAS**, the Bergen County Trust Fund provides matching grants to municipal governments and to nonprofit organizations for assistance in the acquisition of lands for open space conservation purposes and/or outdoor recreation facilities;

**WHEREAS**, the Borough of Fort Lee desires to further the public interest by obtaining a grant of \$100,000 from the Bergen County Trust Fund to fund the Constitution Park Improvements, involving installation of a rubberized play surface, play equipment and site improvements at the park; and,

**WHEREAS**, the Borough Council of the Borough of Fort Lee (Council) has reviewed the Bergen County Trust Fund Program Statement, the Open Space Policy and Procedures Manual, and the Trust Fund Municipal Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

**WHEREAS**, as a part of the application process the Council held the required public hearing on May 9, 2019 to receive commends prior to the submission of said application; and,

**WHEREAS**, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the Bergen County Trust Fund; and,

**WHEREAS**, the applicant is willing to use the Bergen County Trust Fund in accordance with such rules, regulations, and applicable statuses, and is willing to enter into an agreement with the County of Bergen for the above named project; and,

**WHEREAS**, if the applicant is successful in acquiring said project through the use of a County Trust Fund grant, then the applicant will permanently preserve said project for an outdoor recreation purposes through a recorded deed of easement.

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

1. The submission of the above completed project application to the County by this year's deadline of May 20, 2019, established by the County; and,
2. That, in the event of a Bergen County Trust Fund award that may be less than the

grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and,

3. That the Council is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement; and,

4. That the Borough of Fort Lee and its Council agree to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

5. That this resolution shall take effect immediately.

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

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

### **PUBLIC HEARING AND ADOPTION OF THE 2019 MUNICIPAL BUDGET**

**On motion by Councilman Cervieri, seconded by Councilman S ohmer and carried,** the public hearing was opened relative to the **“2019 Municipal Budget.”**

#### **No Public Comments**

There being no public comments, the public hearing relative to the **“2019 Municipal Budget”** was closed **on motion by Councilman Cervieri, seconded by Councilman Suh**

### **BUDGET ADOPTION RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee of the County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) **\$66,285,388.00 (Item 2 below)** for municipal purposes, and

(b) **\$0.00 (Item 3 below)** for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation, and

(c) **\_\_\_\_\_ (Item 4 below)** to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) **\$2,386,150.00 Lib rary Tax**

#### **SUMMARY OF REVENUES**

<b>1. General Revenues</b>		
Surplus Anticipated	08-100	\$ 4,000,000.00
Miscellaneous Revenues Anticipated	40004-10	\$ 9,918,049.53
Receipts from Delinquent Taxes	15-499	\$ 1,550,000.00
<b>2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) 07-190</b>		
		<b>\$66,285,388.00</b>
<b>3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY</b>		
Item 6, Sheet 42	07-195	

Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14	07-191	
Item 6(c), Sheet 11 Minimum Library Tax		\$ 2,386,150.00

Total Amount to be Raised by Taxation for  
Schools in Type I School Districts Only

**4. To Be Added TO THE CERTIFICATE FOR AMOUNT  
TO BE RAISED BY TAXATION FOR SCHOOLS IN  
TYPE II SCHOOL DISTRICTS ONLY:**

Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-195	
Total Revenues	40000-10	\$84,139,587.53

**SUMMARY OF APPROPRIATIONS**

**5. GENERAL APPROPRIATIONS:  
Within "CAPS"**

(a&b) Operations Including Contingent	\$54,433,938.00
(e) Deferred Charges and Statutory Expenditures - Municipal	\$ 6,755,666.00

**Excluded from "CAPS"**

(a) Operations - Total Operations Excluded from "CAPS"	\$ 10,703,526.53
{c} Capital Improvements	250,000.00
(d) Municipal Debt Service	9,149,760.00
(e) Deferred Charges - Municipal	381,697.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if any	2,465,000.00

<b>Total Appropriations</b>	<b>\$ 84,139,587.53</b>
-----------------------------	-------------------------

**On motion by Councilwoman Kasofsky and seconded by Councilman Cervieri** the resolution to **adopt** the **2019 Fort Lee Municipal budget** was **approved** on the following roll call:

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

It is hereby certified that the within budget is a true copy of the budget finally **adopted by resolution of the Governing Body on the 9<sup>th</sup> Day of May 2019**. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

**Certified by me on this 9<sup>th</sup> day of May 2019  
Evelyn Rosario, Municipal Clerk**

**Mayor Sokolich** - The Mayor spoke to highlight the following information. He stated that there will be a zero municipal tax increase in 2019, actually, there is a slight reduction. He stated that the Government body is especially proud of this achievement as that there are expenses beyond the Municipality's control. One of which is the BCUA expense, which is the utilities authority that handles the waste flow treatments. Those services increased \$625,881, although the volume did not increase, the usage did not increase, the services provided did not increase, but the bill did increase. It is now in excess of 4 or 5 million dollars per annum. Collective bargaining (the union contracts) automatically increased by \$462,000, there were other deductions, like health benefits and the Borough saved over \$100,000 in debt service. Debt service is what the Borough pays back when we issue bonds (principal and interest). He stated that this Government body started several years ago with a very, very aggressive bond debt repayment program. At one point the bond debt was in excess of \$80 million; it is now in the low \$50s and the Borough has also reduced capital improvements. He quoted the Borough's auditor that the Borough "continues to maintain a very healthy reserve". The Mayor stated that there is \$9.6 million in tax reserves, which is a very substantial number. He reiterated to the Fort Lee taxpayers that there is \$9.6 million in tax reserves, know that there is a zero increase in the Municipal Budget and he wants the residents to know that

government will continue to do everything possible to take care of the dollars collected by way of taxes and find other sources of income. The Mayor acknowledged Borough Administrator, Al Restaino, who works with this budget on a daily basis. He stated that they meet together with all of the Department Heads; and they have asked them to all sacrifice, and they all have. The Mayor thanked him for his efforts and told him it is greatly appreciated and that to many, it is the most important function in Government.

**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-12, CA-14 through CA-16.

**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	\$15,573,190.63
Current - Grant	6,171.60
Capital	2,259,498.88
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	2,327.50
Trip Admissions	
Special Dog Account	
Trust Account Fund	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	461.00
Community Development	
Redemption Account	51,948.82
School Resource Account	
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	520.00
Police Treasury	13,484.32
Police Justice	
Flexible Spending	
Trust Account	
Developers BOFNJ	106,427.86
Developers B of America	<u>31,907.59</u>
<b>Total:</b>	<b>\$18,045,938.20</b>

**CA-2 Approving Firefighter Auxiliary Membership Application for Steven Castano, Fire Co. 1**

The Firefighter Auxiliary Membership Application for Steven Castano, Fire Company #1 was approved.

**CA-3 Accepting Retirement Notice from Sharon Scheiner, Assistant Municipal Clerk, effective July 1, 2019**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE  
RETIREMENT NOTICE OF SHARON SCHEINER**

**BE IT RESOLVED** that **Sharon Scheiner, Assistant Municipal Clerk** of the **Borough Clerk's Office** has submitted her retirement notice dated April 25, 2019 and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Ms. Scheiner's retirement be **effective July 1, 2019** with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Ms. Scheiner.

**CA-4 Accepting Resignation Notice from Young J. Choi, Code Enforcement Officer, effective May 31, 2019**

**RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE  
RESIGNATION NOTICE OF YOUNG J. CHOI**

**BE IT RESOLVED** that **Young J. Choi, Code Enforcement Officer** of the **Building Department** has submitted his resignation notice dated April 25, 2019 and the Mayor and Council have accepted same; and

**BE IT RESOLVED** that Mr. Choi's resignation will be **effective May 31, 2019** with the Borough of Fort Lee.

**BE IT FURTHER RESOLVED** that the Mayor and Council extend their best wishes to Mr. Choi.

**CA-5 Approving Leave of Absence; Sae Rom Cho, Health Department Commencing Retroactively to April 15, 2019 Through September 16, 2019**

**RESOLUTION AUTHORIZING A LEAVE OF ABSENCE FOR  
SAE ROM CHO, REGISTERED ENVIRONMENTAL HEALTH SPECIALIST**

**BE IT RESOLVED** that **Sae Rom Cho, Registered Environmental Health Specialist** with the **Health Department**, has submitted a request dated April 2, 2019, requesting a leave of absence for five months, and the Mayor and Council have accepted same for a period of five months; and

**BE IT RESOLVED** that Ms. Cho's leave of absence shall be granted for a period of five months, commencing retroactively to April 15, 2019 through September 16, 2019.

**CA-6 Authorizing Student Internships in the Cultural and Heritage Affairs Office; Perki Vikatos and Daphne Sardis, \$10.00 Hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING STUDENT  
INTERNSHIPS IN THE CULTURAL AND HERITAGE AFFAIRS OFFICE**

**WHEREAS**, Mr. Thomas Meyers, Administrator, Office of Cultural and Heritage Affairs, has requested the Mayor and Council to authorize two student internships; and,

**NOW, THEREFORE, BE IT RESOLVED** that **Perki Vikatos** and **Daphne Sardis** will serve as interns under the supervision of Mr. Meyers, Administrator of Cultural and Heritage Affairs; and,

**BE IT FURTHER RESOLVED** that these individuals will be compensated at **\$10.00 per hour**, and the effective date will be determined by Mr. Meyers and the Payroll Officer shall be notified of same.

**CA-7 Authorizing Summer Intern Positions from the Fort Lee High School Academy of Finance; Zev Motiani, Public Works Department and Maja Koprivica, Fire Prevention Bureau/Building Department, \$8.50 Hourly**

**RESOLUTION OF THE BOROUGH OF FORT LEE  
AUTHORIZING TWO SUMMER INTERN POSITIONS FROM THE  
FORT LEE HIGH SCHOOL ACADEMY OF FINANCE PROGRAM**

**WHEREAS**, through Fort Lee High School's Academy of Finance Program, high school students are connected to various professional offices within the Borough and the Governing Body supports this program in providing these students a summer internship with building blocks for their knowledge and application of business and finance in their future careers; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee, that the following individuals be appointed as summer interns with the respective offices:

- **Zev Motiani - Public Works Department**
- **Maja Koprivica - Fire Prevention Bureau/Building Department**

**BE IT FURTHER RESOLVED** that these summer interns will work a total of 160 hours pursuant to the Academy of Finance Program guidelines and these individuals will be compensated at **8.50 an hour**, with an effective date to commence subsequent to June 21, 2019.

**CA-8 Authorizing Submission of a Treatment Works Approval Application to the New Jersey Department of Environmental Protection for 2160 PIC Developers, LLC, 2160 and 2162 Jones Road**

**A 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 470 MAIN  
STREET ASSOCIATES, LLC, 456-470 MAIN STREET, BLOCK 3656, LOTS 6 AND 7,  
BLOCK 4056, LOTS 1 AND 14**

**WHEREAS**, 470 Main Street Associates, LLC received approval for the construction of an 96 unit multi-family residence located at 456-470 Main Street (Block 3656, Lots 6 and 7, Block 4056, Lots 1 and 14); and

**WHEREAS**, the project's estimated sewage generation is in excess of 8,000 gallons per day and therefore requires a Treatment Works Approval (TWA) from the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, on August 18, 2016 the Fort Lee Governing Body at their Regular Session meeting passed Resolution No. CA-16 authorizing submission of the TWA based upon a review by Boswell McClave Engineering; and

**WHEREAS**, it was determined that it was necessary to amend Resolution No. CA-16 to reflect the correct name of the application preparer as Mark Martins Engineering, 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, which reflects Mark Martins Engineering, LLC as the preparer, to the NJDEP for the subject project and authorizes the Mayor or Borough Administrator to execute same.

**CA-9 Authorizing a Shared Service with the Fort Lee Housing Authority for Administrative Services to the Rent Leveling Board**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT  
BETWEEN THE BOROUGH OF FORT LEE AND THE HOUSING  
AUTHORITY OF THE BOROUGH OF FORT LEE FOR THE  
PROVISION OF ADMINISTRATIVE SERVICES TO THE RENT  
LEVELING BOARD**

**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 Housing Authority of the Borough of Fort Lee (“Authority”) is a body corporate and politic created pursuant to the Local Redevelopment and Housing Law, as amended, N.J.S.A. 40A:12A-17 et seq., and

**WHEREAS**, there is a need for the Borough and the Authority to provide an efficient and effective method of supplying administrative services to the Borough’s Rent Leveling Board; and

**WHEREAS**, on prior occasions, pursuant to duly adopted resolutions, the Borough and the Authority have entered into shared services agreements whereby the Authority provides required administrative services to the Borough’s Rent Leveling Board; and

**WHEREAS**, the Borough and the Authority desire to continue 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 benefit of the citizens of the Borough; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act authorizes local units to enter into contracts for the provision of services that either local unit is empowered to provide within their respective jurisdictions; and

**WHEREAS**, the entry into a shared services agreement with the Authority, whose staff has the capability to provide the required administrative services to the Borough’s Rent Leveling Board, will result in cost savings to both the Borough and the Authority; and

**WHEREAS**, the shared services agreement will have a term of two (2) years, and may be extended for additional one (1) year term at the mutual option of both the Borough and the Authority; and

**WHEREAS**, the Borough and the Authority desire to enter into a shared services agreement for the continued provision of administrative services to the Borough’s Rent Leveling Board; and

**WHEREAS**, the entry into the shared services agreement with the Authority is in full compliance with the Uniform Shared Services and Consolidation Act, is in the best interests of the Borough, and is necessary for its efficient operations;

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

1. That entry into the Shared Services Agreement with the Authority, upon terms substantially similar to the agreement attached hereto, pursuant to and in accordance with the Uniform Shared Services and Consolidation Act, is hereby

authorized.

2. That the Borough Administrator is hereby authorized to execute an agreement between the Borough and the Authority, in substantially the same form as that attached hereto, or with such minor revisions as may be necessary by the Borough Attorney, for the provision of the required administrative services to the Rent Leveling Board.

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

4. That no further action of the Mayor and Council shall be required.

**CA-10 Authorizing the Tax Appeal Attorney to Execute Any and All Documents to Finalize Tax Appeal Settlement Entitled "Lukoil North America, LLC vs Fort Lee "**

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE TAX APPEAL ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FINALIZE TAX APPEAL SETTLEMENT ENTITLED "LUKOIL NORTH AMERICA, LLC"**

**WHEREAS**, Lukoil North America, LLC is the owner and taxpayer of property located at Block 5854, Lot 2, also known as 2550 Fletcher Avenue; as well as property located at Block 5552, Lot 8, also known as 2195 Route 4 East; and

**WHEREAS**, taxpayer has filed property tax appeals against the Borough of Fort Lee for each property, for tax years 2017, 2018 and 2019 in two separate matters entitled Lukoil North America, LLC vs Fort Lee, presently pending in the Tax Court of New Jersey; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fort Lee that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of the two litigation matters entitled Lukoil North America, LLC vs Fort Lee, so that for Lukoil North America, LLC, Block 5854, Lot 2, 2550 Fletcher Avenue, the complaints for tax years 2017 and 2018 will be withdrawn, and the assessment of \$2,200,000 will remain intact; and for tax year 2019, the assessment of \$2,200,000 will be reduced to \$2,100,000, resulting in a refund of 2,298; and for Lukoil North America, LLC, Block 5552, Lot 8, 2195 Route 4 East, the complaints for 2017, 2018 and 2019 will be withdrawn, and the assessment of \$1,420,600 will remain intact for each year; and

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

**CA-11 Approving Request from the Fort Lee PBA Local 245 to Permit the Fort Lee 5K Walk/Run to Travel Through Fort Lee on June 9, 2019**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST FROM THE FORT LEE PBA LOCAL #245 TO PERMIT THE FORT LEE 5K WALK/RUN TO TRAVEL THROUGH FORT LEE**

**WHEREAS**, the Borough of Fort Lee received a request from the Fort Lee PBA Local #245 to permit participants of the Fort Lee 5K Walk/Run to travel through Fort Lee; and

**WHEREAS**, the Fort Lee 5K Walk/Run is scheduled for June 9, 2019; and

**WHEREAS**, funds raised by this event will be used to directly benefit the children of Fort Lee; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee, grants permission for the Fort Lee 5K Walk/Run.

**CA-12 Approving Request to Permit the Knights of Columbus/Church of Madonna 's 4<sup>th</sup> Annual 5K Walk/Run and Oktoberfest to Travel Through Fort Lee, September 28, 2019**

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST TO PERMIT THE KNIGHTS OF COLUMBUS/CHURCH OF THE MADONNA 'S 4<sup>TH</sup> ANNUAL 5K WALK/RUN AND OKTOBERFEST TO TRAVEL THROUGH FORT LEE**

**WHEREAS**, on March 31, 2019, the Borough of Fort Lee received a request from the Knights of Columbus/Church of the Madonna to permit the Knights of Columbus/Madonna's 4<sup>th</sup> Annual 5K Walk/Run and Oktoberfest to take place in Fort Lee; and

**WHEREAS**, the Knights of Columbus/Madonna 5K Walk/Run and Oktoberfest is scheduled for **Saturday, September 28, 2019 (Rain Date: Saturday, October 5, 2019)** ; and

**WHEREAS**, proceeds will be used to Tackle Kids Cancer; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fort Lee, grants permission for the Knights of Columbus/Madonna's 4<sup>th</sup> Annual 5K Walk/Run & Oktoberfest.

**CA-14 Authorizing the Award of a Contract for Professional Consulting Engineering Services to Boswell Engineering for Project Known as "Jones Road Improvements", Not to Exceed \$13, 500.00**

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

**WHEREAS**, there exists a need for the Borough of Fort Lee ("Borough") to retain the services of a licensed engineer to prepare construction plans and specifications for the performance of improvements to Jones Road in the Borough; and

**WHEREAS**, the Borough has been approved for a grant in the amount of \$197,000 from the 2019 New Jersey Department of Transportation Municipal Aid Fund for the performance of improvements to Jones Road 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 ("Boswell") to perform such professional engineer services in accordance with its

proposal, dated April 9, 2019, attached hereto; and

**WHEREAS**, Boswell possesses the requisite expertise and skilled personnel required to provide professional engineering services related to the preparation of construction plans and specifications for the performance of improvements to Jones Road; and

**WHEREAS**, the Mayor and Council of the Borough are desirous of awarding a contract for professional engineering services to Boswell 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 engineering services for this phase of the project will be performed by Boswell at a cost not-to-exceed \$13,500, 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, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available for this purpose, said certification being attached to this resolution; and

**WHEREAS**, the award of a contract for the provision of professional engineering services to prepare construction plans and specifications for the performance of improvements to Jones Road is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation 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 Boswell shall be and is hereby appointed to provide professional engineering services related to the preparation of construction plans and specifications for the performance of improvements to Jones Road, in accordance with its proposal, dated April 9, 2019, attached hereto and made a part hereof, for a cost not-to-exceed \$13,500, and the terms and provisions of the agreement by and between Boswell and the Borough for services as the Borough Engineer.

2. That upon 80% completion of the engineering work pursuant to this resolution, Boswell 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 shall submit a detailed cost overrun schedule for review and consideration by the Borough.

3. That Boswell 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 for Professional Consulting Engineering Services to Boswell Engineering for Project Known as “Inwood Terrace Improvements”, Not to Exceed \$18,500.00**

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

**WHEREAS**, there exists a need for the Borough of Fort Lee (“Borough”) to retain the services of a licensed engineer to prepare construction plans and specifications for the performance of improvements to Inwood Terrace in the Borough; and

**WHEREAS**, the Borough has been approved for a grant in the amount of \$215,000 from the New Jersey Department of Transportation for the performance of improvements to Inwood Terrace 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 (“Boswell”) to perform such professional engineer services in accordance with its proposal, dated April 23, 2019, attached hereto; and

**WHEREAS**, Boswell possesses the requisite expertise and skilled personnel required to provide professional engineering services related to the preparation of construction plans and specifications for the performance of improvements to Inwood Terrace; and

**WHEREAS**, the Mayor and Council of the Borough are desirous of awarding a contract for professional engineering services to Boswell 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 engineering services for this phase of the project will be performed by Boswell at a cost not-to-exceed \$18,500, 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, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available for this purpose, said certification being attached to this resolution; and

**WHEREAS**, the award of a contract for the provision of professional engineering services to prepare construction plans and specifications for the performance of improvements to Inwood Terrace is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation 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 Boswell shall be and is hereby appointed to provide professional engineering services related to the preparation of construction plans and specifications for the performance of improvements to Inwood Terrace, in accordance with its proposal, dated April 23, 2019, attached hereto and made a part hereof, for a cost not-to-

exceed \$18,500, and the terms and provisions of the agreement by and between Boswell and the Borough for services as the Borough Engineer.

2. That upon 80% completion of the engineering work pursuant to this resolution, Boswell 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 shall submit a detailed cost overrun schedule for review and consideration by the Borough.

3. That Boswell 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-16 Authorize the Award of a Contract to New Prince Concrete Construction Co. for Project Known as "Main Street and Hudson Terrace Intersection Improvements" \$773,466.00**

**RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE INTERSECTION OF MAIN STREET AND HUDSON TERRACE**

**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 to the intersection of Main Street and Hudson Terrace; and

**WHEREAS**, the County of Bergen will be responsible and will reimburse the Borough for up to \$750,000.00 of the costs incurred by the Borough for the construction of improvements to the intersection of Main Street and Hudson Terrace; 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 procurement of services for the construction of improvements to the intersection of Main Street and Hudson Terrace; and

**WHEREAS**, on March 20, 2019, 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 to the intersection of Main Street and Hudson Terrace; and

**WHEREAS**, on April 5, 2019, a single bid was received from the following bidder in response to the Borough's public solicitation of bids for the construction of improvements to the intersection of Main Street and Hudson Terrace:

New Prince Concrete Construction, Inc. Hackensack, New Jersey	\$773,466.00
--	--------------

; and

**WHEREAS**, after a review of the bid, the Borough has determined that the bid submitted by New Prince Concrete Construction, Inc. is in compliance with the requirements of the bid specifications and that New Prince Concrete Construction, Inc. constitutes the lowest, responsible and complying bidder for the construction of improvements to the intersection of Main Street and Hudson Terrace; and

**WHEREAS**, the Borough’s Chief Financial Officer has reviewed the Borough’s available funds and has determined that sufficient funds are available for the construction of improvements to the intersection of Main Street and Hudson Terrace, said certification being attached to this resolution; and

**WHEREAS**, the Borough has determined that the award of a contract to New Prince Concrete Construction, Inc. for the construction of improvements to the intersection of Main Street and Hudson Terrace 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 New Prince Concrete Construction, Inc., 215 Elleen Terrace, Hackensack, New Jersey, 07601 is the lowest responsible and compliant bidder and is awarded a contract for the construction of improvements to the intersection of Main Street and Hudson Terrace, in accordance with the applicable bid documents and specifications in the amount of \$773,466.00.

2. That the Mayor be and is hereby authorized to execute a contract with the New Prince Concrete Construction, Inc. for the provision of services for the construction of improvements to the intersection of Main Street and Hudson Terrace.

3. That the Chief Financial Officer has certified that funds are available for the construction of improvements to the intersection of Main Street and Hudson Terrace.

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.

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky. The Consent Agenda regarding CA-1 through CA-12, CA-14 through CA-16 was approved on the following roll call:

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

At this point in the meeting **Councilman Cervieri** made a motion to amend the following resolution deleting the bid authorization entitled “Barrymore Film Center & Museum”, motion **seconded by Councilwoman Kasofsky** .

**CA-13 Authorizing the Purchasing Agent to Advertise and Obtain Bid Specifications for Projects Known as “Third Party Ambulance Billing Services ” and Animal Control Services**

**Councilman Cervieri introduced, and Councilman Sargenti seconded**, the following resolution:

**RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PURCHASING AGENT TO ADVERTISE AND OBTAIN BID SPECIFICATIONS FOR VARIOUS PROJECTS**

**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. Third Party Ambulance Billing Services
2. Animal Control Services

The Resolution was **approved** on the following roll call:

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

### **COUNCIL REPORTS**

**Councilman Sohmer** - He stated that the annual Memorial Day Parade will be on May 27<sup>th</sup> at 10:00 a.m. He suggested to contact George Porto for additional information.

He congratulated Sharon Scheiner on her retirement and Young Choi.

**Mayor Sokolich** - He congratulated Sharon Scheiner on her retirement,

**Councilman Yoon** - He congratulated the new Police Chief Hintze and the new Deputy Police Chief Gallagher on their promotions. He commended Borough Administrator Restaino, Borough Auditor Steven Wielkotz and Chief Financial Officer Matt Rutch on their efforts in their successful management of a zero percent increase in the budget.

**Councilman Suh** - He congratulated the new Police Chief Hintze and the new Deputy Police Chief Gallagher on their promotions. He stated that Police Chief Bendul is leaving a legacy with his efforts in developing his command staff. He congratulated Sharon Scheiner on her retirement. He congratulated the Finance Committee on maintaining a zero percent increase with the budget.

**Councilman Sargenti** - He congratulated Sharon Scheiner on her retirement. He congratulated the new Police Chief Hintze and the new Deputy Police Chief Gallagher on their promotions.

**Councilwoman Kasofsky** - She stated that the following events are happening on the following dates:

May 14<sup>th</sup> is the Health Department's 3<sup>rd</sup> Annual Paint & Sip for Women's Health event.

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

She congratulated Sharon Scheiner on her retirement. She congratulated the new Police Chief Hintze and the new Deputy Police Chief Gallagher on their promotions.

**Councilman Cervieri** - He congratulated Sharon Scheiner on her retirement. He congratulated the new Police Chief Hintze and the new Deputy Chief Gallagher on their promotions and mentioned that there was a large turnout tonight to celebrate the new Police Chief and Deputy Police Chief as well as the outgoing Police Chief.

He mentioned the Memorial Day Parade on May 27<sup>th</sup> and the Madonna Carnival next week.

He sent condolences to the Corrison family.

**Mayor Sokolich** - He commented on what a wonderful person Carter Corrison was and sent condolences to the family.

**Mayor Sokolich** - He made an announcement that Tuesday, May 14<sup>th</sup> is the deadline for new voter registration for the Primary Election on June 4<sup>th</sup> and the Borough Clerk's Office will remain open that evening until 9:00 p.m. to distribute and accept voter registration forms.

### **PUBLIC PARTICIPATION**

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

There being no public discussion, on motion by Councilman Suh seconded by Councilman Sargenti, and there being no discussion, the meeting was closed to the public.

On motion by Councilman Suh, seconded by Councilman Sargenti, and there being no further discussion, the meeting was adjourned with no objections at 8:21 p.m.

---

Evelyn Rosario, RMC  
Municipal Clerk