

REGULAR MEETING

MAYOR AND COUNCIL

Thursday, July 18, 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

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 brief remark. Welcome to the summer here in Fort Lee, as I hope everybody knows we, in July and August, we consolidate our meetings into one meeting, so today, July 18 is our, call it, consolidated meeting for the month of July. We had a pretty lengthy work session and now this evening is our regular session; that will happen again in August and then we will resume our regular schedule once September resumes and the kids are back in school. It is hot out, it is humid out, but rest assured Fort Lee continues to progress in the direction that she is supposed to be progressing. Our new theater, at the corner of Park, formerly Martha Washington, and Main Street is fully, fully underway. We are expecting a grand opening, probably spring, early summer of 2020. It is really cool. You should take a walk or take a look at it. It is truly going to be the iconic spot in the Borough of Fort Lee once this is finished. We are super, super excited about it.

I also want to remind everybody that the park, we are going to name it one of these **days, but the park that is in between Modern I and Modern II, which is just shy of two acres**, is a public park. It is now open. It is the property of the Borough of Fort Lee. It is your park. You have heard me say, it is probably the two nicest acres in Bergen County: there is a pond, there are walking trails, bridges, benches. It is a wonderful place. We are about to release on the website, in the not too distant future, a drone shot of the entire park, just so that everybody has an idea as to how beautiful it is. But if you ever wanted a place to meet a friend, to have a cup of coffee, to find a quiet corner on a Sunday afternoon and read the newspaper, that is the place.

I am reminding everybody in Fort Lee, please check the website, fortleenj.org. Again, I defy anybody to tell me that there is a town or a community with more events from morning until evening to do in Fort Lee. Make sure you check. You will be hearing from our Council during the course of the night on, from Movies under the Stars, Dancing under the Stars, and everything in between. So, summer is always a very, very busy time here in the Borough of Fort Lee.

If you have not seen it, Joe can I see that magazine, if you have not seen it, everybody should grab a copy of Edible Jersey, and Fort Lee's restaurants are featured in Edible Jersey, it is a five- or six-page spread, thank you Joe. And it is just really cool; it takes

you through the day, from morning until evening. It features many of our restaurants from our newest restaurants to our oldest restaurant, which as I am pretty sure everybody knows by now is Hiram's Road Stand.

The new Post Office is fully underway. I am happy to report that the final design, I believe, has been approved or is about to be approved. It is a slow process working with the Post Office; we have to deal with historic agencies and building. But the game plan here is the liner building, which is the building connected to the parking deck, should be completed, we are hoping within 7 - 8 months. Once that is completed, we start to outfit the Post Office on the ground floor, and then the move from the old building to the new building starts. And then thereafter Fort Lee will have its fourth park added to its inventory over the course of the last several years, which is pretty cool.

All of our parks now are in full swing. The spray park is fully operational. We are going to start hitting some heat waves, try to stay cool. And you know because it is the summer, it does not mean do not check in with your neighbors. Whenever we have a blizzard that is impending, we always remind everybody in Fort Lee check in with your senior citizen neighbor, check in with the infirmed, check in with those that might need some help. Here too, when it is this hot, we are about to hit some 100 degree days, check in with your neighbors, check in with your senior citizens, just make sure that they know that you are available, if they need them and be sure to remind them, if they ever need anything, hit 911 and that implements a rather sophisticated process here in Fort Lee. Some of the most trained and most experienced first-responders in the State of New Jersey will be at your door within minutes. So again, please remind those, if you need our help, make sure you reach out and you call.

I do not get into a lot of other things because our Council hits that, but if I do not remember at the end, Fort Lee have a wonderful and a healthy summer. If you need us, call us."

APPROVAL OF MINUTES

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the May 9, 2019 Regular Session were approved.

INTRODUCTION OF ORDINANCES

Ord. #2019- 14 "FLOOD DAMAGE PREVENTION ORDINANCE " (Public Hearing August 8, 2019)

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried, Ord. #2019- 14 entitled "FLOOD DAMAGE PREVENTION ORDINANCE" (Public Hearing August 8, 2019) was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **August 8, 2019**.

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

Ord. #2019-15 "AN ORDINANCE OF THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, NEW JERSEY, ACCEPTING THE GRANT OF AMENDED EASEMENTS FROM VARIOUS PROPERTY OWNERS FOR THE EAST PARCEL IN REDEVELOPMENT AREA 5 " (Public Hearing August 8, 2019)

Councilman Cervieri recused and left the dais

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried, Ord. #2019-15 entitled “ AN ORDINANCE OF THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, NEW JERSEY, ACCEPTING THE GRANT OF AMENDED EASEMENTS FROM VARIOUS PROPERTY OWNERS FOR THE EAST PARCEL IN REDEVELOPMENT AREA 5” (Public Hearing August 8, 2019) was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **August 8, 2019**.

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

ORDINANCE PUBLIC HEARINGS

Ord. #2019-12 “AN ORDINANCE AMENDING SALARY ORDINANCE NO. 2018-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2017-2020”

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2019- 12 entitled “AN ORDINANCE AMENDING SALARY ORDINANCE NO. 2018-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2017-2020”.

AN ORDINANCE AMENDING SALARY ORDINANCE NO. 2018-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2017-2020

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee as follows:

SECTION I: All employees covered by the **Blue Collar Bargaining Unit** shall receive salaries during the 2017, 2018, 2019 and 2020 as established by the Blue Collar Memorandum of Agreement for the years 2017 through 2020. (Schedule A, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11 and A-12), which are attached hereto and made a part hereof.

SECTION II: This ordinance reflects the minimum salaries to be paid to current employees in said title and does not necessary include the starting salary for any new employee hired after this ordinance is adopted.

SECTION III: This ordinance shall supersede any other salary ordinance for members of the **Blue Collar Bargaining Unit**.

SECTION IV: This ordinance shall take effect immediately upon passage and publication as prescribed 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, Kasofsky, Cervieri
ABSTAINED: Councilman Sargenti

Ord.#2019-13 "AN ORDINANCE AMENDING ORDINANCE NO. 2019-1 ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2019-13 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 2019-1 ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER.

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

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee as follows:

SECTION I: All employees covered by the **Department Head Bargaining Unit** (Schedule A), shall receive salaries for 2017, 2018, 2019, 2020 and 2021 as established by the Department Head Contract for the years 2017, 2018, 2019, 2020 and 2021, which is attached hereto and made a part hereof.

SECTION II: All **Non-Union Personnel** listed in (Schedules B and C) shall receive salaries for 2017, 2018, 2019, 2020 and 2021 as outlined in (Schedules B & C), which is attached hereto and made a part hereof.

SECTION III: All salary increases for 2017-2021 reflect a two percent (2%) salary increase for 2017, 2018, 2019, 2020 and 2021, with the exception of the Mayor and Council. In addition all employees listed in (Schedules A and B) receive additional compensation as negotiated per the Department Head Contract.

SECTION IV: The Mayor and Council salaries for 2017-2021 remain unchanged.

SECTION V: This ordinance shall supersede any other previous salary ordinance for members of the **Department Head Bargaining Unit** and **Non-Union Personnel** as listed in (Schedules A, B and C).

SECTION VI: This ordinance shall take effect immediately upon passage and publication prescribed 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

PROPOSED CONSENT AGENDA

On motion by Council man Cervieri, seconded by Councilman Sohmer, the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-25

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	\$23,958,087.37
Current - Grant	15,310.09
Capital	1,407,408.56
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	3,051.92
Senior Citizen Advisory Council	
Trip Admissions	5,920.26
Special Dog Account	3,000.00
Trust Account Fund	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	1,601.80
Community Development	
Redemption Account	38,579.12
School Resource Account	
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	
Police Treasury	43,369.69
Police Justice	
Flexible Spending	1,728.50
Trust Account	
Developers BOFNJ	39,237.07
Developers B of America	<u>9,326.30</u>
Total:	\$25,526,620.68

CA-2 Approving Full Membership Firefighter Application for Wendy R. Garritano and Marc Z. Handler, Fire Co. #1 and Auxiliary Membership Firefighter Application for Michael C. Patrick, Fire Co. #4

The Firefighter Full Membership Application for Wendy R. Garritano and Marc Z. Handler, Fire Co. #1 and Firefighter Auxiliary Membership Application for Michael C. Patrick, Fire Co. #4 were approved.

CA-3 Authorizing Marriage License Payment Fees to the State of New Jersey April 1, 2019 - June 30, 2019, \$1,250.00

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 **\$1,250.00** to cover fees collected for marriage licenses for the period covering April 1, 2019 through June 30, 2019. Fees are to be forwarded on a quarterly basis to the Department of Human Services;

Account No. 01-2887

CA-4 Authorizing Renewal of Liquor License No. 0219-33-022-007, "B-Story USA, Inc." and Liquor License No. 0219-33-048-018 Plan J. Inc. Licensing Term July 1, 2019 - June 30, 2020

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING RENEWAL OF VARIOUS LIQUOR LICENSES FOR LICENSING TERM JULY 1, 2019 - JUNE 30, 2020

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Plenary Retail Consumption Licenses are hereby renewed for the "2019-2020" licensing period.

STATE LICENSE#	LICENSE	TRADE NAME
0219-33-022-007	B Story USA, Inc.	Bada Story
0219-33-048-018	Plan J. Inc.	Prost Bar & Restaurant

CA-5 Authorizing the Award of a Contract Extension to George A. Koteen Associates, Inc. for the Performance of an Audit of the Borough 's Utility Bills

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING A CONTRACT EXTENSION TO GEORGE A. KOTEEN ASSOCIATES, INC. FOR THE PERFORMANCE OF AN AUDIT OF THE BOROUGH'S UTILITY BILLS

WHEREAS, on prior occasion pursuant to duly adopted resolution, the Borough of Fort Lee ("Borough") awarded a contract to George A. Koteen Associates, Inc. ("Koteen") to perform a utility bill audit of the Borough's billings electric, gas, water, sewer and telecommunications services to determine whether the Borough is entitled to savings, refunds, credits or other adjustments ("Utility Auditing Services"); and

WHEREAS, there continues to exist a need for the Borough to retain the services of Koteen to perform Utility Auditing Services to confirm savings, refunds, credits or other adjustments due to the Borough; and

WHEREAS, the Borough solicited, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and received proposals for the provision of Utility Auditing Services, which formed the basis for the contract award to Koteen; and

WHEREAS, the Mayor and Council of the Borough wish to extend the contract with Koteen for the provision of Utility Auditing Services; and

WHEREAS, the Local Public Contracts Law, and specifically N.J.S.A. 40A:11-6.1, authorizes, without public advertising for bids and bidding therefor, the purchase of any goods or services whose value does not exceed the bidding threshold of \$40,000; and

WHEREAS, N.J.S.A. 40A:11-15 provides that contracts whose statutory length is less than three years may be extended for one two-year or two one-year terms provided the services are being performed in an effective and efficient manner, the compensation does not increase more than the change in the index rate for the twelve months preceding the contract extension, and the terms and conditions remain substantially the same as the original contract; and

WHEREAS, the Utility Auditing Services that Koteen will continue to perform for total compensation of 40% of the savings achieved, but not to exceed the bid threshold of \$40,000 under the Local Public Contracts Law; and

WHEREAS, the extension of Koteen's contract for the provision of Utility Auditing 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, Koteen completed and submitted 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 prohibited it from making any reportable contributions through the extended term of the contract; and

WHEREAS, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate are maintained on file at the office of the Borough Clerk; and

WHEREAS, the Chief Financial Officer of the Borough has determined that sufficient funds are available to award a contract for the provision of Utility Auditing Services, said certification being attached to this resolution; and

WHEREAS, the extension of Koteen's contract for the provision of Utility Auditing Services is in the best interests of the Borough; and

WHEREAS, the Borough has determined that the extension of the contract for Utility Auditing Services 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 the contract for the provision of Utility Auditing Services by George A. Koteen Associates, Inc., 290 Queen Anne Road, Teaneck, New Jersey, shall be and is hereby extended for a period of one year on the same terms and conditions for a review and evaluation of the Borough's utility bills

2. That this resolution shall serve to memorialize the contract extension between the Borough and Koteen, providing for total compensation for the provision of the Utility Auditing Services at a cost not to exceed \$40,000, and further memorializing the scope of work.

4. That the Borough's Chief Financial Officer has certified that funds are available for the contract.

5. That the original proposal and contract are available for public inspection in the Borough Clerk's office.

CA-6 Accepting Retirement Notice from Celeste Tomasso , Keyboarding Clerk 1, Effective August 30, 2019

RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT NOTICE OF CELESTE TOMASSO

BE IT RESOLVED that **Celeste Tomasso , Keyboarding Clerk 2** has submitted her retirement notice dated June 6, 2019 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Ms. Tomasso's retirement will be **effective August 30, 2019** with the Borough of Fort Lee.

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

CA-7 Accepting Retirement Notice from Stephen Wielkocz, Health Officer, Effective February 1, 2020

RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT NOTICE OF STEPHEN WIELKOCZ

BE IT RESOLVED that **Stephen Wielkocz Health Officer**, has submitted his retirement notice dated July 8, 2019 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Mr. Wielkocz' retirement will be **effective February 1, 2020** with the Borough of Fort Lee.

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

CA-8 Authorizing the Hiring of Tae M. Kim, Code Enforcement Officer, Building Department, Effective July 22, 2019, \$39,000.00 Annual Salary

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF TAE M. KIM

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that due to a vacancy in the Building Department from a recent resignation, **Tae M. Kim** be appointed to a full-time position of Code Enforcement Officer in the Building Department, **with an effective date of July 22, 2019** ; and

NOW, THEREFORE, BE IT RESOLVED that this appointment shall be provisional pending certification from the New Jersey Civil Service Commission and shall be **at an annual salary of \$39,000.00** in compliance with the Salary Ordinance of the White Collar Contract.

CA-9 Authorizing the Hiring of John Ramsthaler , Part-Time Electrical Inspector, Effective July 22, 2019, \$35.00 Hourly

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF A PART-TIME ELECTRICAL INSPECTOR

BE IT RESOLVED that **John Ramsthaler** be hired as a part-time Electrical Inspector with the Building Department; and,

NOW, THEREFORE BE IT RESOLVED that this part-time position shall be at **\$35.00 an hour** and consist of 19 ½ hours per week, **with an effective date of July 22, 2019**.

CA-10 Authorizing the Hiring of Christopher Ipek and Robert DeVito, Sr., Part-Time Fire Inspectors, Effective July 22, 2019, \$ 23.41 Hourly

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF PART-TIME FIRE PREVENTION INSPECTORS

WHEREAS, the Fire Prevention Bureau has requested the Mayor and Council to appoint part-time temporary positions within the department; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the following individuals be appointed to the temporary position of Fire Inspector:

**Christopher Ipek
Robert DeVito, Sr.**

BE IT FURTHER RESOLVED that their **hourly rate shall be \$23.41** , with an effective date of July 22, 2019.

CA-11 Authorizing the Appointment of Ethan Romualdo , an Unpaid Intern in the Fort Lee Police Department, Effective July 22, 2019

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE APPOINTMENT OF AN UNPAID INTERN IN THE FORT LEE POLICE DEPARTMENT

WHEREAS, at certain times of the year, intern positions exist with our Police Department, and the Mayor and Council have determined that the positions should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the following individual be appointed as Police Intern, of which said position is unpaid, and **will commence on July 22, 2019** and ending prior to the end of the fall semester (September 2019):

- 1. Ethan Romualdo**

BE IT FURTHER RESOLVED that the above listed Police Intern will be training with our Police Department Training Division.

CA-12 Authorizing the Placement of Kayla Williams, an Unpaid Intern Through the Rutgers University Internship Program

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PLACEMENT OF AN INTERN FOR THE HEALTH DEPARTMENT

WHEREAS, Steve Wielkocz, Health Officer, has made a request to the Governing Body for permission to participate in the Rutgers University Continuing Professional Education Internship Program; and,

NOW, THEREFORE, BE IT RESOLVED that **Ms. Kayla Williams** will serve as an unpaid intern through this Program under the supervision of Mr. Wielkocz.

CA-13 Authorizing the Hiring of Various Summer Seasonal Employees

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF SUMMER SEASONAL EMPLOYEES

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

NOW, THEREFORE, BE IT RESOLVED that the below listed individuals will be hired as seasonal employees in the Departments listed; and

BE IT FURTHER RESOLVED that each employee will be compensated at an hourly rate listed for each individual.

NAME	POSITION	DEPARTMENT	HOURLY WAGE
Baek, Cameron	Events Crew	Community Center	\$10.00
Manoukian, Christian	Events Crew	Community Center	\$10.00

Kim, Woosoo	Events Crew	Community Center	\$12.50
Basantes, Rodrigo	Events Crew	Community Center	\$14.00
Abascal, Scott	Events Crew	Community Center	\$17.00
Abascal, Joshua	Events Crew	Community Center	\$17.00
Ghali, Sam	Director of Stage Events	Community Center	\$22.50

CA-14 Authorizing Communication with the United States Department of Housing and Urban Development for Proposed Residency Preference: Malcolm Towers Property

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING COMMUNICATION WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR PROPOSED RESIDENCY PREFERENCE

WHEREAS, the Borough of Fort Lee (“Borough”) has authorized various actions to preserve and expand opportunities for affordable housing for its residents to assure the availability of affordable housing in the Borough; and

WHEREAS, because of the Borough’s proximity to New York City and as a result of the improving economy in northern New Jersey, property values in the Borough have increased substantially; and

WHEREAS, rising property values present a challenge to residents of the Borough on fixed incomes seeking affordable housing options, requiring the Borough to effectuate plans to preserve the availability of affordable housing; and

WHEREAS, the Borough desires to support a proposed limited residency preference for Malcolm Towers, a multi-family apartment property located on Main Street in the Borough, applicable to 50% of its units for residents of the Borough, including persons who work or have been hired to work in the Borough; and

WHEREAS, it is necessary that the Borough request approval from the United States Department of Housing and Urban Development for the proposed limited residency preference at the Malcolm Towers property; and

WHEREAS, the issuance of correspondence to the United States Department of Housing and Urban Development for the proposed residency preference at the Malcolm Towers property is in the best interests of the Borough and its citizens and is necessary for the Borough’s continued efficient operation;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee, County of Bergen, State of New Jersey that the Borough Administrator is hereby authorized to execute and issue the correspondence attached to this Resolution seeking approval from the United States Department of Housing and Urban Development for the proposed residency preference at the Malcolm Towers property.

CA-15 Authorizing the Purchasing Agent to Advertise and Obtain Bid Specifications for Solid Waste

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PURCHASING AGENT TO ADVERTISE AND OBTAIN BID SPECIFICATIONS

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. Solid Waste and Recycling

CA-16 Authorizing the Award of a Contract to Advanced Data Processing, Inc. a Subsidiary of R1 RCM, Inc. for the Provision of Third-Party Ambulance Billing Services for the Ambulance Corps

RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT TO ADVANCED DATA PROCESSING, INC., A SUBSIDIARY OF R1 RCM, INC., FOR THE PROVISION OF THIRD-PARTY AMBULANCE BILLING SERVICES FOR THE FORT LEE MUNICIPAL AMBULANCE CORPS

WHEREAS, on prior occasion, pursuant to duly adopted resolution, the Mayor and Council of the Borough of Fort Lee (“Borough”) awarded a contract after a public procurement to Advanced Data Processing, Inc., a subsidiary of Intermedix (“Intermedix”) for the provision of third-party billing services for the Fort Lee Municipal Ambulance Corps; and

WHEREAS, the contract, as extended, with Intermedix is approaching the end of its term, and the Mayor and Council of the Borough are desirous of contracting for the provision of third-party ambulance billing services; and

WHEREAS, the Mayor and Council previously authorized the preparation and issuance of a Request for Bids in order to solicit bids from experienced firms for the provision of third-party ambulance billing services pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS, on June 24, 2019, the Borough issued a Request for Bids for the provision of third-party ambulance billing services; and

WHEREAS, on July 10, 2019, the Borough received a single proposal from Advanced Data Processing, Inc., a subsidiary of R1 RCM, Inc. in response to the Request for Bids, which was thoroughly reviewed and evaluated by the Borough’s Qualified Purchasing Agent, the Director of Emergency Medical Services, and the Municipal Attorney; and

WHEREAS, based on a review of the sole bid submitted and independent investigation, the Borough’s Qualified Purchasing Agent formally recommended that the Borough award a contract for the provision of third-party billing services to Advanced Data Processing, Inc., in accordance with the terms of the Request for Bids; and

WHEREAS, the Borough desires to accept the recommendation of its Qualified Purchasing Agent and award a contract for the provision of third-party billing services to Advanced Data Processing, Inc.; and

WHEREAS, the award a contract for the provision of third-party billing services to Advanced Data Processing, Inc. is necessary for the continued efficient operation of the Borough; and

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

(1) That Advanced Data Processing, Inc., a subsidiary of R1 RCM, Inc., 401N. Michigan Avenue, Suite 2700, Chicago, Illinois 60611 is hereby determined to be the lowest responsible and complying bidder, and is hereby awarded a contract for the provision of third-party billing services for the Fort Lee Municipal Ambulance Corps for a term of three years with two one-year renewal options at the Borough’s sole discretion, in accordance with the terms of the Request for Bids; and

(2) That the Mayor is authorized to execute a contract, the terms and conditions of which are, in a form and content, acceptable to the Borough Attorney, with

Advanced Data Processing, Inc., on behalf of the Borough.

(3) That the Borough's Chief Financial Officer has certified that funds are available for the contract, said certification being attached to this resolution.

(4) That a copy of this resolution shall be maintained in the Office of the Borough Clerk and made available for public inspection.

(5) That the Borough Clerk shall advertise the award of the contract in a newspaper as required by law.

CA-17 Authorizing Change Order No. 1 for Project Known as Construction of Improvements to the Intersection of Main Street and Hudson Terrace, \$125,125.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING CHANGE ORDER NO. 1 FOR PROJECT KNOWN AS CONSTRUCTION OF IMPROVEMENTS TO THE INTERSECTION OF MAIN STREET AND HUDSON TERRACE

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION: Construction of Improvements to the Intersection of Main Street and Hudson Terrace

ENGINEER: Boswell Engineering
330 Phillips Avenue
South Hackensack, NJ 07606

CONTRACTOR: New Prince Concrete Construction, Inc.
215 Ellen Terrace
Hackensack, NJ 07601

CHANGE ORDER #'S: Change Order No. 1

COST OF CHANGE ORDERS \$ 125,125.00

ORIGINAL CONTRACT AMOUNT: \$ 773,466.00

NEW CONTRACT AMOUNT: \$ 898,591.00

***Note:** Original Contract Awarded Via Resolution No. CA-16, May 9, 2019.

NATURE OF CHANGES: Milling and Paving

ACCOUNT NUMBERS: 04-2150-55-1523-002
04-2150-55-1809-240
Ordinance No. 2015-23
Ordinance No. 2018-9

CA-18 Authorizing a Grant Application Submission Between the Parking Authority and the State of New Jersey Department of Environmental Protection for the Purchase of Charging Stations at 2030 Guntzer Street

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING GRANT APPLICATION SUBMISSION BETWEEN THE FORT LEE PARKING AUTHORITY AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, The Governing Body of the Fort Lee Parking Authority desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of up to \$30,000.00 to fund the following project: Purchase, installation and maintenance of 5 Level 2 dual-port PowerCharge Pro Series charging stations at 2030 Guntzer Street, Fort Lee, NJ 07024.

THEREFORE, the Governing Body resolves that Alfred Restaino or the successor to the office of Borough Administer is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not less than \$0.00 and not more than \$30,000.00 and (c) to execute any amendments thereto.

1. *The Mayor and Council authorizes and hereby agrees to match 0% of the total project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 0% of the match will be made up of in-kind services (If allowed by grant program requirements and the agreement)
2. The Grantee agrees to comply with all applicable Federal, State, and Municipal laws, rules, and regulations in its performance pursuant to the agreement.

*The portion of the form between the asterisk should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services.

CA-19 In Support of Electric Vehicles

RESOLUTION OF THE BOROUGH OF FORT LEE IN SUPPORT OF ELECTRIC VEHICLES

WHEREAS, the Borough of Fort Lee is committed to fostering increased adoption of electric vehicles and needed infrastructure in order to reduce global warming pollution and improve air quality in the municipality, the state, and nationally;

WHEREAS, Electrify New Jersey, in partnership with Jersey Renews, a state coalition promoting the transition to clean, renewable energy in New Jersey, and ChargEVC, an diverse electric vehicle coalition, have developed a comprehensive framework to serve as a [roadmap](#) for creating a sustainable and growing EV market in New Jersey; and

WHEREAS, the Electrify New Jersey roadmap includes recommended goals and policy actions designed to:

- Expand public charging infrastructure;
- Foster greater affordability of EVs to increase adoption;
- Ensure sufficient private charging infrastructure;
- Ensure electrification solutions to reach all communities equitably;
- Ensure long term funding for the transportation trust fund;
- Build consumer awareness; and
- Support market development efforts; and

WHEREAS, electrifying the state's transportation system is one of the top priorities stated in the Jan. 1, 2018 recommendations of New Jersey Governor Phil Murphy's Environment and Energy Transition Advisory Committee; and

WHEREAS, the widespread adoption of Electric Vehicles (EVs) will bring significant economic benefit, including lower electricity rates by recreating a more resilient and responsive electric grid and reduced vehicle operating costs, and substantial emission reductions that result in cleaner air for everyone; and

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

implementation of New Jersey's Clean Car standards, the ability of states that adopt Clean Car standards to have stronger safeguards to protect the health of New Jerseyans above and beyond federal standards, and in opposition to efforts at the federal level by the current administration or Congress to weaken these standards or usurp local control to protect the state's residents from air pollution from the transportation sector.

CA-20 Authorizing Various Reappointments to the Friends of Fort Lee Film, Inc.

RESOLUTION OF THE BOROUGH OF FORT LEE REAPPOINTING VARIOUS TRUSTEES TO THE FRIENDS OF FORT LEE FILM, INC. FOR A TERM OF 2 YEARS

BE IT RESOLVED, by the Governing Body of the Borough of Fort Lee that the following individuals be reappointed as a Board of Trustee to the Friends of Fort Lee Film, Inc., effective August 17, 2019, expiring August 17, 2021.

Jeannette Curtis-Rideau
Janet Denlinger
Gary Donatelli
Michele Sorvino
Ashley Yook-Cafasso

CA-21 Authorizing the OEM Coordinator to Execute a Memorandum of Understanding with the American Red Cross

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE OEM COORDINATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS

WHEREAS, the Borough of Fort Lee Office of Emergency Management and the American Red Cross seek to define their working relationship through a Memorandum of Understanding; and

WHEREAS, the Memorandum of Understanding provides the framework for cooperation and support between the agencies during emergencies and disasters; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee hereby authorizes the Office of Emergency Management Coordinator to sign the Memorandum of Understanding with the American Red Cross.

CA-22 Authorizing the Approval of a Bus Stop Along Main Street, Westbound, on the Northerly Side at Central Road

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING APPROVAL OF A BUS STOP

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8 the following described location is designated as a bus stop:

County Road

1. Along Main Street (CR 56), Westbound, on the northerly side thereof at:

a. Central Road - Far side

Beginning at the westerly curbline of Central Road and extending 100 feet westerly therefrom (location 32969).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

CA-23 Authorize Request for Services of a Technical Assistance Team with New Jersey Future to Conduct a Community Assessment

RESOLUTION OF THE BOROUGH OF FORT LEE REQUESTING SERVICES OF A TECHNICAL ASSISTANCE TEAM ASSEMBLED BY NEW JERSEY FUTURE

WHEREAS, the Borough of Fort Lee, seeks to retain the services of a Technical Assistance Team, assembled by New Jersey Future, to assist the municipality to evaluate actions it might take to become more aging-friendly; and

WHEREAS, the services of the technical team will be provided at no cost to the municipality through a grant from the Aging Innovation Fund of the Community Foundation of South Jersey; and

WHEREAS, the Borough of Fort Lee requests that the Technical Assistance Team:

1. conduct a community assessment of its land use plans, regulations and physical characteristics to evaluate the extent to which the community meets the needs of older adults, and
2. provide recommendations for strategies and actions the municipal could undertake to enhance its aging-friendly characteristics

WHEREAS, the Borough of Fort Lee is committed to evaluating strategies that will enable older adults to remain active, healthy, engaged, and capable of continuing to live in their community;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council:

1. Requests the Technical Assistance Team, assembled by New Jersey Future, work with the municipality to assess the needs of older populations and identify strategies to enhance aging-friendly characteristics;
2. Authorizes the **Municipal Administrator** to enter into the appropriate agreements with New Jersey Future to have the Technical Assistance Team work with the municipality at no cost;
3. Agrees to appoint a municipal aging-friendly steering committee to participate in and guide the aging-friendly community assessment;
4. Authorizes the Municipal Administrator to provide the Technical Assistance Team with maps, data, municipal plans, regulations and other information necessary to perform the community assessment;
5. Supports active outreach and community engagement to inform the aging-friendly assessment, planning, and decision-making; and,
6. Agrees to the Planning Principles set forth herein below to guide planning activities.

PLANNING PRINCIPLES

The following principles are intended to guide development and implementation of strategies associated with Creating Great Places to Age project being performed by the Technical Advisory Team. The objective of these principles is to: enhance a community's age-friendly characteristics by promoting options for access other than automobiles; an easily walkable mix of uses, physical and social activities; key

amenities such as parks, benches and safe streets; and a mix of affordable housing options.

1. Promote mixed-use development that is compact and conserves land. Build with suitable designs and densities that support walking, biking, and public transportation.
2. Assign priority to redevelopment and reuse of existing sites and structures. Encourage development that incorporates green design and construction principles and opportunities for clean and renewable energy and efficiency measures.
3. Enhance community character and design, especially in historic areas, by reusing significant buildings, reinforcing architectural styles, incorporating art, and providing pedestrian-friendly streetscapes.
4. Maintain and enhance transportation options that improve access, safety, affordability, and air quality for all users: pedestrians, bicyclists, transit-users, ride-shares, and drivers.
5. Support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels.
6. Protect and restore the environment, sensitive lands, ecosystems, and natural resources.
7. Protect agricultural lands, and historic sites and landscapes. Provide accessible neighborhood parks and recreational systems.
8. Engage and involve the community throughout the planning and land use decision-making process. Gather and consider public input before and during program implementation.

CA-24 Authorizing a Shared Service Agreement between Fort Lee and Bergen County for the Storage of Electronic Data

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND THE COUNTY OF BERGEN (COUNTY) FOR THE STORAGE OF ELECTRONIC DATA, INCLUDING SERVERS AND RELATED STORAGE HARDWARE

WHEREAS, the COUNTY, through its Department of Public Safety - Division of Communications, currently operates a state of the art Public Safety Operations Center (“PSOC”) at 285 Campgaw Road Mahwah, NJ 07430, providing 9-1-1 communications and dispatch services to municipalities throughout Bergen County; and

WHEREAS, the PSOC incorporates a fully functional state of the art data center with sufficient additional rack space to permit municipal agencies to collocate municipal law enforcement electronic data storage equipment, including servers and related storage hardware (hereinafter “Equipment”); and

WHEREAS, the Borough of Fort Lee has a need to procure an off-sight location at which to place its Equipment for the purpose of Disaster Recovery; and

WHEREAS, the COUNTY has sufficient rack space, power, cooling and data bandwidth to accommodate the co-location of the Borough of Fort Lee’s Equipment; and

WHEREAS, the Borough of Fort Lee and the COUNTY wish to enter into a shared services agreement (“Agreement”) whereby the Borough of Fort Lee will be permitted to co-locate its Disaster Recovery Equipment at the PSOC; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, the COUNTY and the Borough of Fort Lee have each adopted resolutions authorizing the entry into this Agreement, copies of which are annexed hereto as exhibits,

NOW, THEREFORE, BE IT AGREED, in consideration of the promises and covenants, terms, and conditions hereinafter set forth, the COUNTY and the Borough of Fort Lee agree to perform in accordance with the provisions, terms and conditions set forth in the agreement.

CA-25 Authorizing the Hiring of Dina Roditis , Keyboarding Clerk 1, Recreation Department, Effective August 5, 2019, \$30,000.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF DINA RODITIS TO REPLACE CELESTE TOMASSO

WHEREAS , due to a retirement in the Recreation Department, the Mayor and Council have determined that the vacancy should be filled; and,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that **Dina Roditis** , be appointed to a full-time position of **Keyboarding Clerk 1** in the **Recreation Department** , with an **effective date of August 5, 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 **\$30,000-** , in compliance with the Salary Ordinance of the White-Collar Contract.

RESOLUTIONS

R-1 Authorizing Renewal of Liquor License No. 0219-33-047-009, HOF Enterprises, Inc. (Pocket License), Licensing Term July 1, 2019 - June 30, 2020, Special Ruling N.J.S.A. 33:1-12:39 Granted

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

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING RENEWAL OF LIQUOR LICENSE NO. 0219-33-047-009 "HOF ENTERPRISES INC. (POCKET LICENSE) SPECIAL RULING N.J.S.A. 33:1 -12.39 GRANTED FOR LICENSING TERM 2019-2020

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to "HOF Enterprises, Inc." license number 0219-33-047-009 effective July 1, 2019 through June 30, 2020.

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

BE IT RESOLVED, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling (N.J.S.A. 33:1-12.39) petition and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0219-33-047-009 for the **2019-2020 license term.**

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the license be and is hereby renewed for the licensing period of July 1, 2019 through June 30, 2020.

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

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

R-2 Authorizing the Issuance of a Certificate of Completion to TDC Fort Lee, LLC and Tucker Development and Acquisition Fund, LLP for Property Known as Block 4851.01, Lot 1 and Block 4851.03, Lot 1

*Councilman Cervieri recused and stepped away from the dais.

Councilman Sohmer introduced, and Council woman Kasofsky seconded, the following resolution:

RESOLUTION AUTHORIZING THE ISSUANCE AND EXECUTION OF A CERTIFICATE OF COMPLETION WITH CONDITIONS TO TDC FORT LEE, LLC AND TUCKER DEVELOPMENT AND ACQUISITION FUND, LLP FOR PROPERTY KNOWN AS TAX BLOCK 4851.01, LOT 1 AND BLOCK 4851.03, LOT 1 REFERRED TO AS PHASE 1 OF THE WEST PARCEL REDEVELOPMENT PROJECT LOCATED IN REDEVELOPMENT AREA 5

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended and supplemented, provides a process for municipalities to participate in the redevelopment and improvement of parcel(s) of property designated as “areas in need of redevelopment”; and

WHEREAS, pursuant to an Ordinance No. 2004-29 adopted by the Borough on August 4, 2004, the Borough adopted a Redevelopment Plan for Redevelopment Area 5 and did further amend the zoning map of the Borough of Fort Lee to so indicate that area, which Redevelopment Plan was last amended on February 2, 2012; and

WHEREAS, on March 15, 2012, the Borough entered into a redevelopment agreement with Tucker Development and Acquisition Fund, L.P. (“Tucker”) and TDC Fort Lee, LLC (“TDC” and together with Tucker, the “Redeveloper”) as redeveloper of the West Parcel of Redevelopment Area 5 (the “West Parcel”), which Redevelopment Agreement has been amended by First Amendment to Redevelopment Agreement dated as of December 2, 2013 and further amended by Second Amendment to Redevelopment Agreement dated as of October 9, 2015 and last amended by Third Amendment to Redevelopment Agreement dated as of November 23, 2016 (collectively referred to as the “Redevelopment Agreement”); and

WHEREAS, Tax Block 4851.01, Lot 1 and Block 4851.03, Lot 1 are referred to as Phase 1 of the West Parcel redevelopment project located In Redevelopment Area 5 (the “Phase 1 Property”); and

WHEREAS, the Redeveloper commenced the construction on the Phase 1 Property consisting of a one to two-story building for retail/restaurant uses of approximately 40,000 square feet, a 12-story building with approximately 74,000 square feet of retail/restaurant uses on the first floor, three stories of parking garage with 743 spaces, and eight stories of residential comprising 276 units, the construction of Central Avenue and Hudson Street, two new streets, along with all related Project Infrastructure, as defined in the Redevelopment Agreement and the construction of a public park (hereinafter referred to as the “Project”); and

WHEREAS, the Redeveloper completed construction of the Project on the Phase 1 Property and obtained certificates of occupancy as required from the Borough and has provided a certification that the Project has been completed in conformance with the Redevelopment Agreement; and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper has requested the issuance of a Certificate of Completion for the Project and the

Borough has agreed to the same in accordance with the terms of this resolution and in the Certificate of Completion with conditions; and

WHEREAS, the Certificate of Completion with conditions shall state that the Redeveloper has, to the Boroughs satisfaction fulfilled its obligations under the Redevelopment Agreement with the exception that Borough is currently satisfied that the Redeveloper has met its affordable housing obligations under Section 2.09 of the Redevelopment Agreement, the Borough and Redeveloper are parties to in a Declaratory Judgment action (DJ), Docket No. BER-L-6289-15, and additional litigation, which are now or may come to be pending in the courts or which may be subject to a change in law by the state of New Jersey or the government of the United States which may provide a different result as to the affordable housing obligation to be or already provided by the Redeveloper and/or the Borough. Therefore, the Borough reserves all of its rights with regard to such results with a final judgment(s) or change of law as to affordable housing obligation(s) in the Borough and for this Phase 1 Project.

WHEREAS, the Project has been inspected by the Borough Engineer, who has affirmed the satisfactory completion of the Project in conformance with the Redevelopment Plan and Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Fort Lee that it hereby authorizes the issuance and execution of a Certificate of Completion with Conditions for the Project on the property known as Tax Block 4851.01, Lot 1 and Block 4851.03, Lot 1 as shown on the Tax Maps of the Borough of Fort Lee.

BE IT FURTHER RESOLVED, that the Certificate of Completion with conditions shall state that the Redeveloper has, to the Boroughs satisfactions fulfilled its obligations under the Redevelopment Agreement with the exception(s) stated above. This conditional Certificate of Completion and its Conditions shall bind and inure to the benefit and burden of any successors in interest of any kind whatsoever, in whole or in part, of this Phase 1 Project of any and all kinds, whatsoever. Such successors in interest shall be bound and shall receive the benefit and burden of any such final judgment(s) or change in law by the state of New Jersey or the government of the United States as to the affordable housing obligation in the Borough and/or for this Phase 1 Project.

BE IT FURTHER RESOLVED, that the Mayor and the Borough Clerk are hereby authorized to execute all documents, including the Certificate of Completion with Conditions, in a form substantially consistent with that attached hereto.

BE IT FURTHER RESOLVED, that the Borough shall deliver the executed Certificate of Completion with Conditions to the Redeveloper for recording.

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

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

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

R-3 Authorizing the Execution of a Sixth Amendment of the Amended and Restated Development Agreement between Fort Lee and 69 Main Street Fort Lee Urban Renewal Associates, LLC and 69 Main Improvements Associates, LLC

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

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

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT OF THE AMENDED

AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND 69 MAIN ST. FORT LEE URBAN RENEWAL ASSOCIATES LLC AND 69 MAIN IMPROVEMENTS ASSOCIATES, LLC

WHEREAS, 69 Main St. Fort Lee Urban Renewal Associates LLC and 69 Main Improvements Associates, LLC (collectively the "Company") are the owner and developer of the partially municipally sponsored affordable housing and market rate development project (the "Project") on certain real property located in the Borough, designated as Block 4355, Lots 13.02, 17, 18 and 19 (the "Property"); and

WHEREAS, the Project is being developed pursuant to Amended and Restated Development Agreement dated November 2, 2011, which changed the terms of an initial Development Agreement dated November 19, 2009, a First Amendment to the Amended and Restated Development Agreement dated April 12, 2013; a Second Amendment, Assignment and Assumption of Amended and Restated Development Agreement dated September 3, 2015; Third Amendment, Assignment and Assumption of Amended and Restated Development Agreement dated March 2, 2016; Fourth Amendment to Amended and Restated Development Agreement dated January 19, 2018; and Fifth Amendment of Assignment and Assumption of Amended and Restated Development Agreement dated October 18, 2018 (collectively, the "Development Agreement");

WHEREAS, unanticipated financial issues and resulting practical difficulties have delayed construction and completion of the Project;

WHEREAS, the Parties wish to amend the Development Agreement for the purpose of setting forth their respective undertakings, rights and obligations in connection with the construction of the Project, all in accordance with applicable law and the terms and conditions of the Sixth Amendment as set forth therein.

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

1. The Developer shall complete the construction of the Project no later than December 1, 2019.
2. The Council authorizes and directs the Mayor and Borough Clerk to execute, on behalf of the Borough, the Sixth Amendment in substantially the form annexed hereto as Exhibit A, subject to the review and approval by the Borough Attorney.
5. The Mayor and Borough Clerk are hereby authorized, empowered and directed to execute and deliver, on behalf of the Borough, such other documents and/or instruments as are necessary to effectuate the actions authorized herein.

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

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

APPOINTMENT

Mayor Sokolich nominated Brenda R. Mester to serve as a member of the **Senior Citizen Council** to fill the unexpired term of Paula LaMastro expiring **December 31, 2020**.

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

COUNCIL REPORTS

Councilman Sohmer - He congratulated Celeste Tomasso on her retirement.

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

Tuesday, August 6 - Fort Lee Night Out celebration, our local celebration of the National Night Out.

August 7 - August 11 - St. Rocco's Feast

Now through November - Fort Lee Farmer's Market on Sundays

He wished everyone a good summer.

Councilman Yoon - He stated that Movies and Music Under the Stars continues every Saturday night through August 31st at the Fort Lee Community Center.

He spoke about the Barrymore Film Center, which is under construction and is expected to open in spring or early summer of 2020. He stated that it will be state-of-the-art 250-seat theatre. There will be programming for the arts, not just films, it will be educational, as well. Live feeds of the construction can be seen at barrymorefilmcenter.org.

Councilman Suh - He stated that Dobco, which is constructing the Barrymore Film Center, is also doing the construction project for the new 5th and 6th grade school. He stated that they are expecting a TCO by the end of this month and stated that he will keep us posted on this at the next Mayor and Council meeting.

He reiterated that Fort Lee's Night Out is on August 6th at 6:00 p.m. at the Community Center. There will be rides, games, food trucks and the screening of the movie How to Train Your Dragon, The Hidden World at 7:00 p.m.

On August 7th he stated it will be Fort Lee's 90th Annual St. Rocco's Feast on Main Street. It will run through August 11th.

He also congratulated the 100+ students completing the Junior Police Academy this year, which is a record number of students. He thanked all of the Police Officers involved.

Councilman Sargenti - He wished everyone a great summer.

Councilwoman Kasofsky - She stated that the second community garden is ready; there are 30 available plots on 15th Street. She suggested contacting her or the DPW for a box. The grand opening will be soon.

She stated that the library has many programs and is a good place to stay cool in the air conditioning. She also wished everyone a great summer.

Councilman Cervieri - He stated that there was a ribbon-cutting for a Pickleball court at the bottom of Stillwell Avenue. He stated that this reflects on how responsive the Governing Body is to the needs of the community. Fort Lee prides itself on having a Mayor and Council that has an administration that is responsible to all the people to make sure that this is a great place to live, work and raise your families. He thanked the Borough Administrator and the rest of the Borough employees for making the Mayor and Council look good and making Fort Lee the great place it is today.

He wished everyone a good summer and to watch out for the children.

PUBLIC PARTICIPATION

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

Public Comments:

1. Arleen Sugarman, 2100 Linwood Avenue: She thanked the Mayor and Council for the new pickleball courts at the Recreation Center. She spoke about the parking meter spaces on Lewis Street and Linwood Avenue and the new parking deck. Mayor Sokolich responded.

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

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and there being no further discussion, the meeting was adjourned with no objections at 7:38 p.m.

Evelyn Rosario, RMC
Municipal Clerk