

REGULAR MEETING

MAYOR AND COUNCIL

Thursday, August 12, 2021 @ 6:00 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: Council Members Sohmer, Yoon, Suh, Sargenti, Kasofsky, Cervieri

ABSENT: Mayor Sokolich, Al Restaino, Borough Administrator

ALSO PRESENT: Evelyn Rosario, Borough Clerk
Brian Chewcaskie, Borough Attorney (Exited the meeting at 6:10 P.M.)

OPEN PUBLIC MEETINGS ACT STATEMENT

Please take notice that in accordance with Chapter 231, P.L. 1975 adequate notice informing the public of the time and place of this meeting was duly published in the Record issue of December 22, 2020 and the Jersey Journal and Star Ledger issues of December 24, 2020. Said notice was also posted on the Borough Hall bulletin board and Borough website.

Please take further notice that a meeting time change notice for this meeting informing the public that the start time has changed from 7:00 P.M. to 6:00 P.M. was duly published in the Record issue of August 5, 2021 and the Star Ledger issue of August 9, 2021. Said notice was also posted on the Borough Hall bulletin board and Borough website.

MAYOR’S REPORT AND ANNOUNCEMENTS

Council President Cervieri presided over the meeting.

“We are here tonight for a very special occasion, one that my colleagues on the council and the mayor are always very excited to do. Which is to promote those members of our Police Department that have earned their new position. The mayor sends his best regards he has just completed a lot of his treatments and has scheduled to be out of the country. He does send his best regards and hopes everything goes smoothly tonight. He asked everyone to please stay safe and stay healthy. I would like to dispense with the rest of the mayor’s report as we do not have any other announcements. It is going to be a fun night for everybody, thank you.”

POLICE DEPARTMENT:

PROMOTIONS/RESOLUTIONS AND OATHS OF OFFICE

R-1 Authorizing Police Promotions - Two Captains

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

August 12, 2021 Regular Session Meeting Resolution # R-1 Carried: <input checked="" type="checkbox"/> Defeated: <input type="checkbox"/> Tabled: <input type="checkbox"/> Approved on Consent Agenda: <input type="checkbox"/>
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AUTHORIZING THE PROMOTION FROM POLICE LIEUTENANT TO POLICE CAPTAIN OF THE FORT LEE POLICE DEPARTMENT

WHEREAS, the Mayor and Council of the Borough of Fort Lee wish to promote **Police Lieutenants Michael Ferraro and Edward Young** to the rank of **Police Captain**, with an effective date of **August 12, 2021**.

NOW, THEREFORE, BE IT RESOLVED that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary as outlined by the current PBA contract.

Police Chief Hintze came forward and welcomed the public and thanked them for attending the Police Department’s promotional ceremony. He recognized the following officers that were promoted in May 2020. Sergeant Richard Hernandez, Sergeant Thomas Porto and Sergeant Brian Cullen were promoted to Lieutenant’s. Detective Dean Mirkovic and Detective Jared Zusi were promoted to Sergeant’s.

Additionally, Chief Hintze recognized the following officers that were assigned to investigative positions and received their detective shields. Officer Laki Pothos, Officer David Tropea, Officer Min Sung Kim and Officer John Gallo.

Police Chief Hintze read the biography of Lieutenant Michael Ferraro and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Lieutenant Michael Ferraro in as Captain.

His wife, Kaitlyn, and two children Peyton and Kaylee held the bible and his father, retired Fort Lee Police Captain Stephen Ferraro pinned his badge.

Police Chief Hintze read the biography of Lieutenant Edward Young and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Lieutenant Edward Young in as Captain.

His two children Austin and Lucas held the bible and his wife, Alexandra pinned his badge.

R-2 Authorizing Police Promotions - Two Lieutenants

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

August 12, 2021 Regular Session Meeting Resolution # R-2 Carried: <u>X</u> Defeated: <u> </u> Tabled: <u> </u> Approved on Consent Agenda: <u> </u>

AUTHORIZING THE PROMOTION FROM POLICE SERGEANT TO POLICE LIEUTENANT OF THE FORT LEE POLICE DEPARTMENT

WHEREAS, the Mayor and Council of the Borough of Fort Lee wish to promote **Police Sergeants Antonio Hernandez and Robert Tilton** to the rank of **Police Lieutenant**, with an effective date of **August 12, 2021**.

NOW, THEREFORE, BE IT RESOLVED that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary as outlined by the current PBA contract.

Police Chief Hintze read the biography of Sergeant Antonio Hernandez and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Sergeant Antonio Hernandez in as Lieutenant.

His daughter, Olivia and his girlfriend, Nancy held the bible and his mother, Esther pinned his badge.

Police Chief Hintze read the biography of Sergeant Robert Tilton and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Sergeant Robert Tilton in as Lieutenant.

His grandson, Zachary, held the bible and his wife, Deana, pinned his badge.

R-3 Authorizing Police Promotions - Four Sergeants

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

August 12, 2021 Regular Session Meeting Resolution # R-3 Carried: <u>X</u> Defeated: <u> </u> Tabled: <u> </u> Approved on Consent Agenda: <u> </u>
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AUTHORIZING THE PROMOTION FROM POLICE OFFICER TO POLICE SERGEANT OF THE FORT LEE POLICE DEPARTMENT

WHEREAS, the Mayor and Council of the Borough of Fort Lee wish to promote **Police Officers John Klein, Michael Bialoblocki, David Tropea** and **Thomas Keelen** to the rank of **Police Sergeant**, with an effective date of **August 12, 2021**.

NOW, THEREFORE, BE IT RESOLVED that this promotion will be certified by the New Jersey Civil Service Commission and shall be at a salary as outlined by the current PBA contract.

Police Chief Hintze read the biography of Police Officer John Klein and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Officer John Klein in as Sergeant.

His children, Harlie and Savannah, held the bible and his wife, Hali and son, Jaxon, pinned his badge.

Police Chief Hintze read the biography of Police Officer Michael Bialoblocki and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Officer Michael Bialoblocki in as Sergeant.

His wife, Kelly and his children, Michael and Lynn, held the bible and his father, Robert, pinned his badge.

Police Chief Hintze read the biography of Police Officer David Tropea and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Officer David Tropea in as Sergeant.

His father, Joey, held the bible and his children, Talia and Viviana, and his wife Stephanie, pinned his badge.

Police Chief Hintze read the biography of Police Officer Thomas Keelen and asked him to come before the council for his swearing in with his family.

Council President Cervieri along with Police Liaisons Councilman Sohmer and Councilman Sargenti administered the oath of office and swore Officer Thomas Keelen in as Sergeant.

His children, Mackenzie and Shane, held the bible and his mother, Christine, pinned his badge.

In conclusion, Police Chief Hintze asked all in attendance to give the officers recognized this evening a final round of applause.

On motion by Councilman Sargenti, seconded by Councilman Suh, a brief recess was approved and taken at 6:46 P.M.

On motion by Councilwoman Kasofsky, seconded by Councilman Sargenti, the meeting was reconvened at 6:56 P.M.

APPROVAL OF MINUTES

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried, the minutes of the July 8, 2021 Work Session were approved. Councilman Sargenti abstained.

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried, the minutes of the July 8, 2021 Regular Session were approved. Councilman Sargenti abstained.

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried unanimously, the minutes of the January 14, 2021 Closed Session were approved.

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried unanimously, the minutes of the February 4, 2021 Closed Session were approved.

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried unanimously, the minutes of the March 4, 2021 Closed Session were approved.

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried unanimously, the minutes of the April 1, 2021 Closed Session were approved.

On motion by Councilman Suh, seconded by Councilman Sargenti, and carried unanimously, the minutes of the May 6, 2021 Closed Session were approved.

On motion by Councilman Suh, seconded by Councilman Sargenti, and carried, the minutes of the June 3, 2021 Closed Session were approved. Councilman Yoon abstained.

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried unanimously, the minutes of the July 8, 2021 Closed Session were approved.

INTRODUCTION OF ORDINANCES

ORD. #2021-17 “AN ORDINANCE AMENDING ORDINANCE NO. 2021-5 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 September 16, 2021)

On motion by Councilman Suh, seconded by Councilwoman Kasofsky, and carried, Ord. #2021-17 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 2021-5 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 September 16, 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 **September 16, 2021**.

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

ORD. #2021-18 “AN ORDINANCE AMENDING ORDINANCE NO. 2021-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2021-2022 ” (Public Hearing September 16, 2021)

On motion by Councilman Suh, seconded by Councilman Sargenti, and carried, Ord. #2021-18 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 2021-4 ESTABLISHING SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES FOR 2021-2022” (Public Hearing September 16, 2021) was introduced and passed on first reading.

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

ORD. #2021-19 “AN ORDINANCE AMENDING CHAPTER 193 CONSTRUCTION CODES, UNIFORM SECTION 193-2 FEES ” (Public Hearing September 16, 2021)

On motion by Councilman Suh, seconded by Councilman Kasofsky, and carried, Ord. #2021-19 entitled “AN ORDINANCE AMENDING CHAPTER 193 CONSTRUCTION CODES, UNIFORM SECTION 193-2 FEES” (Public Hearing September 16, 2021) was introduced and passed on first reading.

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

ORD. #2021-20 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED “HANDICAPPED PARKING SPACES ” (DELETE: 410 Fairview Avenue and 1626 Maple Street. ADD: 1023 Ponsi Street (Public Hearing September 16, 2021)

On motion by Council woman Kasofsky, seconded by Councilman Suh, and carried, Ord. #2021-20 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED “HANDICAPPED PARKING SPACES” (Public Hearing September 16, 2021) was introduced and passed on first reading.

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

ORDINANCE PUBLIC HEARINGS

ORD. #2021-14 “AN ORDINANCE AMENDING CHAPTER 410, ZONING, OF THE CODE OF THE BOROUGH OF FORT LEE REGARDING MEDICINAL CANNABIS DISPENSARY”

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2021-14 entitled “AN ORDINANCE AMENDING CHAPTER 410, ZONING, OF THE CODE OF THE BOROUGH OF FORT LEE REGARDING MEDICINAL CANNABIS DISPENSARY”

AN ORDINANCE AMENDING CHAPTER 410, ZONING, OF THE CODE OF THE BOROUGH OF FORT LEE REGARDING MEDICINAL CANNABIS DISPENSARY

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, Public Question No. 1 was approved by the voters of the Borough of Fort Lee by a margin of 6,150 in favor and 3,533 opposed; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, C.16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, consisting of:

- Class 1 - Cannabis Cultivator license for facilities involved in growing and cultivating cannabis;

- Class 2 - Cannabis Manufacturer license for facilities involved in the manufacturing, preparation and packaging of cannabis items;

- Class 3 - Cannabis Wholesaler license for facilities involved in obtaining and selling cannabis items for later resale by other licensees;

- Class 4 - Cannabis Distributor license for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;

- Class 5 - Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and

- Class 6 - Cannabis Delivery license for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

WHEREAS, Section 3 of the Act defines a “cannabis establishment” as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler or a cannabis retailer”; and

WHEREAS, Section 31a of the Act authorizes municipalities to adopt by ordinance regulations governing the number of (1) cannabis establishments, (2) cannabis distributors and (3) cannabis delivery services, except for the delivery of

cannabis items and related supplies by a cannabis delivery service based and initiated from outside of the municipality; and

WHEREAS, Section 31a of the Act also authorizes municipalities to adopt by ordinance regulations governing the local licensing endorsement, location, manner and times of operation of cannabis establishments and cannabis distributors and the location and manner of cannabis delivery services and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities to prohibit by ordinance the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality, except for the delivery of cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 21, 2021); and

WHEREAS, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again, in 2026, have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating with appropriate approvals within the municipality; and

WHEREAS, Section 40 of the Act permits a municipality to adopt an ordinance imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located in the municipality on receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sale of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; or any combination thereof and to set its own rate or rates, but in no case exceeding: two percent of the receipts from each sale by a cannabis cultivator; two percent of the receipts from each sale by a cannabis manufacturer; one percent of the receipts from each sale by a cannabis wholesaler; and two percent of the receipts from each sale by a cannabis retailer.

NOW, THEREFORE, BE IT ORDAINED, BY THE Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey that the Chapter 410, Zoning, of the Code of the Borough of Fort Lee is hereby amended and revised as follows:

Section 1. The current text of Chapter 410, Zoning, Article 11, Definitions, Subsection 410-7 shall hereby be amended to include the following:

§410-7 Definitions:

“Alternative Treatment Center” or ATC means an organization issued a permit pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, C.307 (C.24:61-1 et al.) to operate as a medical cannabis cultivator, medical cannabis manufacturer, medical cannabis dispensary, or clinical registrant, as well as any alternative treatment center deemed pursuant to Section 7 of the Act (C.24:61-7) to concurrently hold a medical cannabis cultivator permit, a medical cannabis manufacturer permit and a medical cannabis dispensary permit.

“Cannabis” means all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L.2016, c.16 for use in cannabis products as set forth in this Act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other product. “Cannabis” does not include: medical cannabis dispensed to registered qualifying patients pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, C.307 (C.24:61-1 et al.) and P.O.2015, c.158 (C.18A40-12.22 et al.); marijuana as defined in N.J.S. 2C:35-2 and applied to any offense set forth in Chapters 35, 35A and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marijuana as defined in Section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, C.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the “New Jersey Hemp Farming Act,” P.L.2019, c.238 (C.4:28-6 et al.).

“Cannabis Cultivator” means any licensed person or entity that grows, cultivates, or produces cannabis in this State and sells and any transport this cannabis to other cannabis cultivators or usable cannabis to cannabis manufacturers, cannabis wholesalers or cannabis retainers, but not to consumers.

“Cannabis Delivery Service” means any licensed person or entity that provides courier services for consumer purchasers of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the

cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

“Cannabis Distributor” means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

“Cannabis Establishment” means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler or a cannabis retailer.

“Cannabis Manufacturer” means any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing and packaging cannabis items and selling and optionally transporting these items to other cannabis manufacturers, cannabis wholesalers or cannabis retailers, but not to consumers.

“Cannabis Retailer” means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators or cannabis items from cannabis manufacturers or cannabis wholesalers and sells these to consumers from a retail store and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

“Cannabis Wholesaler” means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another

cannabis wholesaler or to a cannabis retailer, but not to consumers.

“Medical Cannabis Dispensary” means a business licensed by the State of New Jersey to sell medical cannabis to registered qualifying patients and their authorized care givers. This term shall include the organization’s officers, directors, board members and employees.

Section 2. Chapter 410, Zoning, Article III, Establishment of Zones, Subsection 410-13, General Use Regulations, shall hereby be amended and supplemented to include a new Section 410-13A as follows:

§410-13A Prohibited Uses:

1. All classes of license for cannabis establishments pertaining to Adult-Use Cannabis are hereby prohibited from operating anywhere in the Borough, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Borough of Fort Lee.
2. All cannabis establishments pertaining to Alternative Treatment Centers, with the exception of a Medicinal Cannabis Dispensary in the Highway Development (C-5) Zone District.

Section 3. The current text of Chapter 410 (Zoning Schedule IV-1 Use Regulations, Article IV, District Regulations, Subsection 410-11, Schedule of Regulations in the Highway Development (C-5) Zoning District, shall hereby be amended to include the following:

Medicinal Cannabis Dispensary

Section 4. The current text of Chapter 410 is hereby amended and supplemented by the addition of a new Article XXII as follows:

ARTICLE XXII - MEDICINAL CANNABIS DISPENSARY

§410-95 - Medicinal Cannabis Dispensary Criteria:

Within the Highway Commercial (C-5) Zone District, the following additional restrictions and limitations shall apply with respect to a Medicinal Cannabis Dispensary:

- A. No more than one (1) Medicinal Cannabis Dispensary shall be permitted in the Zone District.
- B. Medicinal Cannabis Dispensary shall not be located within one thousand (1,000) feet of a pre-existing primary or secondary school. The distance shall be measured from property line to property line. Early learning centers, fitness facilities, preschools, day care centers, residential care homes, colleges, and vocational/trade centers shall not be classified as a school for purposes of this section.
- C. For purposes of determining required parking, dispensaries shall be classified as “Commercial Retail”.
- D. Drive-throughs shall be prohibited at Alternate Treatment Centers.
- E. No medicinal cannabis or cannabis paraphernalia shall be displayed or kept at the Alternate Treatment Center so as to be visible from outside the premises.
- F. No medicinal cannabis or cannabis-infused product shall be smoked, eaten or otherwise consumed or ingested on the premises of any Alternate Treatment Center.

- G. A Medicinal Cannabis Dispensary shall not be located in a home, apartment or condominium.
- H. A Medicinal Cannabis Dispensary shall be subject to permitting requirements. Requests for a permit, including but not limited to occupancy and building permits, shall be submitted via an application (herein "Dispensary Application"). The following documentation and information shall be provided to the Borough Clerk in conjunction with any application for a zoning permit or variance relief for a dispensary, cannabis cultivation, cannabis manufacturing or cannabis distributing facility:
 - 1. A general description of the proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, description of ingress and egress, proposed exterior lighting plan and building code compliance;
 - 2. The proposed days and hours of operation, the anticipated building occupancy capacity, and the average number of customers and employees anticipated to frequent the facility on a daily basis;
 - 3. The anticipated parking demand and parking plan per the applicable Schedule of Off-Street Parking Requirements and available private parking supply;
 - 4. A traffic management plan depicting on-site traffic circulation, stacking and queuing and demonstrating the manner in which the facility's traffic will be managed so as to minimize the impact on adjacent roadways and neighborhoods;
 - 5. A depiction of the site design, including access points and internal site circulation;
 - 6. A proposed signage plan;
 - 7. A plan for disposal of refuse including disposal of any cannabis or cannabis byproducts that are not sold to a purchaser or registered qualifying patient or caregiver which disposal method protects any portion thereof from being possessed or ingested by any person or animal and which complies with applicable federal, state and local regulations;
 - 8. A plan describing the mitigation measures and ventilation system that will be used to prevent any odor of cannabis off the premises;
 - 9. The name(s) and location(s) of the offsite cultivation facilities associated with a dispensary, if any;
 - 10. A copy of the current State-approved license, and to the extent permitted by law, a copy of the operating and security procedures required by the Act;
 - 11. The name and complete contact information of the licensee, its primary point of contact for the application available to respond to and cooperate with inquiries and requests made by the Borough Clerk, and the senior person responsible for management and operation of the proposed facility, which information shall be promptly updated as necessary;
 - 12. Such other information or documentation as determined to be necessary to assess compliance with the requirements set forth or referenced herein;
 - 13. An affidavit or certification affirming compliance with all

requirements of state and local law and identifying any matters requiring variance or waiver relief;

14. Applications shall be submitted to the Borough Clerk and will be deemed complete upon submittal of all documentation and information described in herein to the satisfaction of the Borough Clerk;
15. Subject to the provisions set forth below, an Alternate Treatment Center's occupancy permit will be allocated to an applicant on a reserve basis based on the order the completed Dispensary Applications are received;
16. Upon the Borough Clerk's receipt of a completed Dispensary Application for an available dispensary occupancy permit, said available occupancy permit shall be temporarily reserved for the applicant at the location designated until such time that the application is withdrawn by the applicant or deemed expired. Minimal progress for a period of three (3) or more months relative to obtaining the reserved available dispensary occupancy permit shall constitute a basis to deem the application expired; and
17. No Dispensary Application will be received or considered during a period when one (1) dispensary occupancy permit has been issued or reserved.

I. Coordination of Safety and Security Measures.

Applicants for a Medicinal Cannabis Dispensary shall coordinate with the Borough Chief of Police, or his or her designee, regarding the measures to be taken to ensure the security of the facility and the safety of the public and facility employees. Such measures may include, but are not limited to, facility access controls, surveillance systems, site lighting and on-site security personnel. Said coordination shall occur in conjunction with any application for a zoning permit or variance relief for a dispensary, cannabis cultivation, cannabis manufacturing or cannabis distributing facility that has been deemed complete by the zoning officer and shall be ongoing, as needed, to address any security or safety issues.

J. Inspection.

Subject to the requirements and limitations of State Law, the Borough of Fort Lee shall have the reasonable right to inspect the premises of any approved Medicinal Cannabis Dispensary during its regular hours of operation to ensure compliance with local ordinances and regulations.

K. Public Nuisance Declared.

Operation of any prohibited or unpermitted cannabis business establishment within the municipality in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

L. Governing Body Approval of Applications.

Whenever the Cannabis Regulatory Commission established by the Act (the "Commission") forwards to the municipality any application for initial licensing or renewal of an existing license for any cannabis establishment, Medicinal Cannabis Dispensary, distributor or delivery service pursuant to Section 19 of the Act or for a cannabis consumption area pursuant to Section 28 of P.L.2019, C.153 (C.24:61-21), or otherwise solicits the position of the municipality on any matter related to cannabis-related activities within the municipality, or upon the request of an applicant for or

holder of such license, the governing body shall determine whether the application complies with the municipality's restrictions on the number of Medicinal Cannabis Dispensaries, cannabis establishments, distributors or delivery services and on their location, manner or times of operation and promptly inform the Commission and the applicant for or holder of a license whether the application complies with same and whether it either approves or denies each application or other require for municipal authorization forwarded to it. Notwithstanding the foregoing, nothing herein shall prohibit any elected or appointed official or employee from expressing their opinions or views on cannabis-related matters in their personal or individual official capacity, or enforcing an applicant for or holder of a license issued by the Commission, provided that such official shall not represent that their opinions or views are those of the municipality unless based on a duly adopted ordinance or resolution of the municipality or other action of a majority of the governing body.

M. Definitions and Repealer.

Unless specifically defined otherwise herein, any term used herein shall be incorporate the definition of that term in the Act. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Fort Lee inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

N. Interpretation and Savings Provision.

If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

O. Violations and Penalties.

Any person or business who violates any provision of this Chapter shall, upon conviction, be subject to the penalties provided by §410-58.

Section 5. Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 7. This ordinance shall take effect immediately upon publication and final passage according to law.

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

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

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

ORD. #2021-15 "AN ORDINANCE IMPOSING A TRANSFER TAX ON THE SALE OF MEDICINAL CANNABIS BY A MEDICINAL CANNABIS DISPENSARY IN THE BOROUGH OF FORT LEE "

On motion by Councilman Suh, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2021-15 entitled

“AN ORDINANCE IMPOSING A TRANSFER TAX ON THE SALE OF MEDICINAL CANNABIS BY A MEDICINAL CANNABIS DISPENSARY IN THE BOROUGH OF FORT LEE”

AN ORDINANCE IMPOSING A TRASFER TAX ON THE SALE OF MEDICINAL CANNABIS BY A MEDICINAL CANNABIS DISPENSARY IN THE BOROUGH OF FORT LEE

WHEREAS, N.J.S.A. 24:61-10(l) permits a municipality to adopt an ordinance imposing a transfer tax on the sale of medicinal cannabis by a Medicinal Cannabis Dispensary that is located in the municipality on receipts from the sale of medicinal cannabis by a Medicinal Cannabis dispensary to a registered qualified patient or the patient’s authorized care giver and to set its own tax rate, but in no case, exceed two percent of the purchase price of the medicinal cannabis from each sale by the Medicinal Cannabis Dispensary; and

WHEREAS, Section 31a of the “Act” also authorizes municipalities to adopt by ordinance regulations governing the local licensing endorsement, location, manner and times of operation of Medicinal Cannabis Dispensaries and establish civil penalties for the violation of any such regulations.

NOW, THEREFORE, BE IT ORDAINED, BY THE Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey that the Chapter 271 of the Code of the Borough of Fort Lee is hereby amended and revised as follows:

Section 1. The current text of the Code of the Borough of Fort Lee, General Legislation, is hereby be amended to include Chapter 271, Medicinal Cannabis Dispensary, the following:

§271-1 Transfer Tax:

A. Transfer Tax Imposed.

There is hereby imposed a transfer tax of two percent (2%) on receipts from the sale of medicinal cannabis or cannabis item by a Medicinal Cannabis Dispensary to a registered qualified patient or the patient’s authorized care giver.

Such tax shall be collected or paid and remitted to the municipality by the Medicinal Cannabis Dispensary from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer.

The transfer tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item. No Medicinal Cannabis Dispensary required to collect a transfer tax imposed hereunder shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax will be refunded to the cannabis establishment or the consumer.

B. Tax Liability.

Every Medicinal Cannabis Dispensary required to collect a transfer tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any Medicinal Cannabis Dispensary shall have the same right with respect to collecting the transfer tax from another cannabis establishment or the consumer as if the transfer tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the Medicinal Cannabis Dispensary or

consumer, as if the transfer tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item and payable at the same time.

C. Collection of Taxes and Lien.

All revenues collected from a transfer tax imposed by ordinance pursuant to this section shall be remitted to the Borough's Chief Financial Officer in the manner prescribed herein. The Chief Financial Officer shall collect and administer any transfer tax imposed by ordinance pursuant to this chapter.

If the Medicinal Cannabis Dispensary is the owner of the premises, the municipality may enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes. In the event that the transfer tax imposed by ordinance pursuant to this section is not paid as and when due by a Medicinal Cannabis Dispensary, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the Medicinal Cannabis Dispensary's premises in the same manner as all other unpaid municipal taxes, fees or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for any unpaid property taxes due and owing in the same year. The municipality shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent Medicinal Cannabis Dispensary's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

D. Administration of Transfer Tax.

The Borough Chief Financial Officer is charged with the administration and enforcement of the provisions of this chapter, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter. Should medicinal Cannabis Dispensary fail or refuse to provide adequate information to the Chief Financial Officer to determine the amount of tax due, the Chief Financial Officer may use information provided to the Chief Financial Officer from other sources (i.e., the Commission or Department of Treasury) to determine the amount of tax liability.

1. It shall be the duty of the Chief Financial Officer to collect and receive the taxes, fines and penalties imposed by this chapter. It shall also be the duty of the Chief Financial Officer to keep a record showing the date of such receipt. The Chief Financial Officer is authorized to enter into agreements with the State of New Jersey to obtain information to facilitate administration of the tax. The Chief Financial Officer is authorized to issue a ruling upon written request of a taxpayer or upon its own volition.
2. The Chief Financial Officer is hereby authorized to examine the books, papers and records of the Medicinal Cannabis Dispensary to verify the accuracy of any declaration or return, or if not declaration or return was filed, to ascertain the tax due. Every Medicinal Cannabis Dispensary is hereby

directed and required to give to the Chief Financial Officer, or to any agent designated by him/her, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized.

E. Recordkeeping.

A Medicinal Cannabis Dispensary liable for the transfer tax are required to keep such records as will enable the filing of true and accurate returns or the tax and such records shall be preserved for a period of not less than three (3) years from the filing date or due date, whichever is later, in order to enable the Chief Financial Officer or any agent designated to verify the correctness of the declarations or returns filed. If records are not available in the municipality to support the returns which were filed or which should have been filed, the Medicinal Cannabis Dispensary will be required to make them available to the Chief financial Officer either by producing them at a location in the municipality or by paying for the expenses incurred by the Chief Financial Officer or his agent in traveling to the place where the records are regularly kept.

F. Returns.

All Medicinal Cannabis Dispensaries operating in the municipality are required to file a transfer tax return with the Chief Financial Officer to report their sales during each calendar quarter and the amount of tax in accordance with the provisions of this chapter. Returns shall be filed and payments of tax imposed for the preceding calendar quarter shall be made on or before the last day of April, July, October and January, respectively. A Medicinal Cannabis Dispensary who has overpaid the transfer tax, or who believes it is not liable for the tax, may file a written request on an amended tax return with the Chief Financial Officer for a refund or a credit of the tax. For amounts paid as a result of a notice asserting or informing a taxpayer of an underpayment, a written request for a refund shall be filed with the Chief financial Officer within two (2) years of the date of the payment.

G. Confidentiality.

The returns by the Medicinal Cannabis dispensary and the record and filed of the Chief Financial Officer respecting the administration of the transfer tax, shall be considered confidential and privileged and neither the municipality nor any employee or agent engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom, shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said records or files or from any examination or inspection of the premises or property of any person. Neither the Chief Financial Officer nor any employee engaged in such administration or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding under the provisions of the State Uniform Tax Procedure Law or of the tax law affected, or where the determination of the action or proceeding will affect the validity or amount of the claim of the municipality under the tax provisions of this chapter.

H. Audit and Assessment.

The Borough's Chief Financial Officer may initiate an audit by means of an audit notice to be served on any agent at the Medicinal Cannabis Dispensary's principal place of business. If, as a result of an examination

conducted by the Chief Financial Officer, a return has not been filed by a Medicinal Cannabis Dispensary or a return is found to be incorrect and transfer taxes are owed, the Chief Financial Officer is authorized to assess and collect any tax due. If no return has been filed and tax is found to be due, the tax actually due may be assessed and collected with or without the formality of obtaining a return from the taxpayer. Deficiency assessments (i.e., where a Medicinal Cannabis Dispensary has filed a return but is found to owe additional tax) shall include taxes for up to three (3) years to the date when the deficiency is assessed. Where no return was filed there shall be no limit to the period of assessment. All expenses incurred by the Borough associated with the audit and the collection of the outstanding taxes shall be paid by the delinquent Medicinal Cannabis Dispensary.

Upon proposing an assessment, the Chief Financial Officer shall send the Medicinal Cannabis Dispensary an interim notice by certified mail, return receipt requested, which advises the taxpayer of additional taxes that are due. Should the taxpayer wish to dispute the assessment administratively by requesting a hearing with the Chief Financial Officer, it must do so within thirty (30) days of the date of such interim notice. If, after the Chief Financial Officer sends an interim notice, a taxpayer fails to timely request a hearing with the Chief Financial Officer or requests a hearing and after conducting a hearing, the Chief Financial Officer determines that the taxes are due, the Chief Financial Officer shall send the Medicinal Cannabis Dispensary by certified mail, return receipt requested, a final notice. Should the Medicinal Cannabis Dispensary wish to dispute the assessment set forth in the final notice, the Medicinal Cannabis Dispensary must initiate an appeal in the New Jersey Tax Court within ninety (90) days after the mailing of any final notice regarding a decision, order, finding, assessment, or action hereunder.

I. Time Limitations.

The following periods of limitations shall apply to suits for collection of taxes: When a return has been filed but no tax paid, any suit brought to recover the tax due and unpaid shall be filed within two (2) years after the return was due or filed, whichever is later; Where no return was filed or a fraudulent return was filed, there shall be no limits to file suit for the collection of taxes; Where, before the expiration of the time prescribed in this section for filing a lawsuit against the taxpayer, both the Chief Financial Officer and the taxpayer have consented in writing to its extension after such time, the suit may be filed at any time prior to the expiration of the period agreed upon; The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

J. Hearings.

Any person who receives an interim notice from the Chief Financial Officer may within thirty (30) days after the date of an interim notice, request a hearing with the Chief Financial Officer. Any person who fails to request a Chief Financial Officer's hearing in a timely manner waives the right to administratively contest any element of the assessment. The Chief Financial Officer shall accept payments of disputed tax amounts under protest pending appeals; however, any request for refund of such monies must be filed in accordance with this section.

K. Appeals.

Any aggrieved Medicinal Cannabis Dispensary may, within ninety (90) days after the mailing of any final notice regarding a decision, order, finding, assessment or action hereunder, or publication of any rule, regulation or policy of the Chief Financial Officer, appeal to the Tax Court

pursuant to the jurisdiction granted by N.J.S.A. 2B:13-2a(3) to review actions or regulations of municipal officials by filing a complaint in accordance with the New Jersey Court rule 8:3-1. The appeal provided by this section shall be the exclusive remedy available to any taxpayer for review of a final decision of the Chief Financial Officer in respect to a determination of liability for the tax imposed by this chapter.

L. Definitions and Repealer.

Unless specifically defined otherwise herein, any term used herein shall be incorporate the definition of that term in the Act. Any article, section, paragraph, subsection, clause, or other provision of the Borough of fort Lee Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

M. Interpretation and Savings Provision.

No ordinance, regulation or interpretation thereof shall conflict with the Act. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by a court of competent jurisdiction to conflict with the Act or otherwise be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

N. Violations and Penalties.

Any person or business who violates any provision of this chapter shall, upon conviction, be subject to the penalties provided by §1-17 of this Code.

§271-2 Standards Adopted; License Required.

It shall be unlawful for any person or any corporate entity to operate a Medicinal Cannabis Dispensary without first having procured an annual license from the Borough Clerk's Officer.

§271-3 License Fees; Renewal; Late Fees.

- A. A Medicinal Cannabis Dispensary shall pay to the Borough an annual License fee of \$35,000.00.
- B. The Licenses issued shall be effective for the calendar year, expiring on the 31st day of December of the year of issued and may be renewable for succeeding calendar years thereafter. The fee for license renewals shall be due and payable on or before the first day of February in the year of renewal.
- C. Late Fees. A late fee of \$50 shall be charged for licenses which are not paid on/or before February 1 of the license year. An additional \$75 shall be charged for each thirty-day period that the license fee is not paid after February 1 of the license year.

§271-4 Revocation, Suspension or Cancellation of Licenses; Hearing.

- A. Any license issued under the terms and provisions of this chapter may be suspended or revoked by the Mayor and Council of this municipality for the violation by the licensee of any provision of this chapter or Chapter XII of the New Jersey State Sanitary Code or whenever it shall appear that the Medicinal Cannabis Dispensary is conducted in a disorderly or improper manner or in violation of any law of the United State, the State of New Jersey or any ordinance of this municipality or that the purpose for which the license has been

issued is being abused to the detriment of the public or is being used for a purpose foreign to that for which the license was issued.

- B. A license issued under the terms and provisions of this chapter shall not be revoked, cancelled or suspended until a hearing thereon shall have been had by the Mayor and Council. Written notice of the time and place of such hearing shall be served upon the Medicinal Cannabis Dispensary at least three days prior to the date set for such hearing. Such notice shall also contain a brief statement of the grounds to be relief upon for revoking, cancelling or suspending such license. Notice may be given either by personal delivery thereof to the person to be notified or be deposited in the United State Post Office in a sealed envelope. Postage prepaid, addressed to such person to be notified at the business address appearing upon said license. At the hearing, the representatives of the Medicinal Cannabis Dispensary shall have an opportunity to be heard. Upon due consideration and deliberation, the complaint may be dismissed or if the governing body concludes that the charges have been sustained and substantiated, it may revoke, cancel or suspend the license held.
- C. If any such license shall have been revoked, neither the holder thereof nor any person acting for him, directly or indirectly, shall be entitled to another license to carry on the same business within the Borough, unless the application for such license shall be approved by the Governing Body.

§271-5 Non-Applicability.

No provision of this chapter shall be applied so as to impose any unlawful burden on either interstate commerce or any activity of the State or Federal government.

§271-6 Violations and Penalties.

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be subject to the penalties provided by **§1-17 of this Code**, and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

Section 2. Any article, chapter, section, paragraph, subsection, clause or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

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

On motion by Councilman Suh, seconded by Councilman S argenti , the Ordinance was **adopted** on the following roll call:

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

ORD. #2021-16 "AN ORDINANCE OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE UNITED STATES POSTAL SERVICE FOR PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 225 MAIN STREET AND BLOCK 4751, PORTION OF LOT 2

CURRENTLY KNOWN AS 231 MAIN STREET FOR THE PURPOSE OF RELOCATING THE FORT LEE POST OFFICE TO NEW SPACE AND CREATING PUBLIC PARKLAND AND OPEN SPACE ”

On motion by Councilman Suh, seconded by Council man Sohmer , and carried, the public hearing was opened relative to Ord. #2021-16 entitled “AN ORDINANCE OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE UNITED STATES POSTAL SERVICE FOR PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 225 MAIN STREET AND BLOCK 4751, PORTION OF LOT 2 CURRENTLY KNOWN AS 231 MAIN STREET FOR THE PURPOSE OF RELOCATING THE FORT LEE POST OFFICE TO NEW SPACE AND CREATING PUBLIC PARKLAND AND OPEN SPACE”

AN ORDINANCE OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE UNITED STATES POSTAL SERVICE FOR PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 225 MAIN STREET AND BLOCK 4751, PORTION OF LOT 2 CURRENTLY KNOWN AS 231 MAIN STREET FOR THE PURPOSE OF RELOCATING THE FORT LEE POST OFFICE TO NEW SPACE AND CREATING PUBLIC PARKLAND AND OPEN SPACE

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

SECTION I. Pursuant to General Powers, N.J.S.A. 40:48-2, the Borough of Fort Lee (the “Borough”) is authorized to adopt an Ordinance for the preservation of public health, safety and welfare.

SECTION II. Pursuant to Public Parks and Playgrounds N.J.S.A. 40:61-1, the Borough has the power to acquire any real property for a public parks and open space through negotiated agreement.

SECTION III. Pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-5, the Borough has the power to acquire any real property for a public purpose through negotiated.

SECTION IV. The Borough owns the land and Fort Lee Parking Authority (the “Authority”) owns the building constructed on a portion of Block 4751, Lot 2 also currently known as 231 Main Street and located adjacent to the newly constructed parking garage (the “Borough Parcel”).

SECTION V. The United States Post Office (the “USPS”)owns the property located at 225 Main Street, also known as Block 4851, Lot 5 (the “USPS Parcel”).

SECTION VI. The Borough and USPS entered into an Agreement to Exchange and Develop Real Property dated October 16, 2019, which in part provides for the exchange of the Borough Parcel and USPS Parcel, relocation of the USPS to a unit in the Borough Parcel and the Borough’s redevelopment of the USPS Parcel for a public park/open space (the “Exchange Agreement”).

SECTION VII. The Mayor and Council of the Borough have determined that it is in the public interest to acquire a fee simple interest in the USPS Parcel for the purpose of creating a new public park and open space for the benefit of Borough residents and visitors.

SECTION VIII. The Borough authorizes the acquisition of the USPS Parcel and the conveyance of the Borough Parcel pursuant to N.J.S.A. 40:48-2, N.J.S.A. 40:61-1 and N.J.S.A. 40A:12-5, and in accordance with the Exchange Agreement and this Ordinance.

SECTION IX. The Mayor and Borough Clerk are hereby authorized to execute and witness a deed, master deed and any other documents necessary to

effectuate the exchange of the Borough Parcel and USPS Parcel, all in a form to be approved by the Borough Attorney or its designee.

SECTION X. The Office of the Borough Attorney or its designee is hereby authorized to proceed with exchange of the Borough Parcel and USPS Parcel in accordance with the Exchange Agreement and to prepare and file all papers and take all actions as necessary to accomplish this purpose.

SECTION XI. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION XII. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION VIII. This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

At this time in the meeting, an audience member addressed clarification of the post office being removed to be replaced with a walking park.

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

On motion by Councilman Suh, seconded by Councilman S argenti , the Ordinance was **adopted** on the following roll call:

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

PROPOSED CONSENT AGENDA

On motion by Councilman Suh, seconded by Councilwoman Kasofsky , the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-18.

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

August 12, 2021 Regular Session Meeting Resolution # CA-1 to CA- 18 Carried: __ Defeated: ____ Tabled: ____ Approved on Consent Agenda: __X

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	\$27,150,024.04
Current - Grant	
Capital	82,718.75
Road Improvement Plan	

Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	
Trip Admissions	
Special Dog Account	
Trust Account Fund	7,063.53
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	
Community Development	
Redemption Account	185,500.03
School Resource Account	187.24
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	
Police Treasury	4,805.28
Police Justice	
Flexible Spending	
Trust Account	
Developers CONNECT ONE	53,156.44
Developers B of America	1,655.50
	<hr/>
Total:	\$ 27,485,110.81

CA-2 Authorizing the Hiring of Jason Manizza as a Part-Time Temporary Fire Prevention Inspector in the Fire Prevention Bureau, Effective August 16, 2021, \$24.05 Hourly

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF A PART-TIME TEMPORARY FIRE PREVENTION INSPECTOR

WHEREAS, the Fire Sub-Code Official has requested the Mayor and Council to appoint a part-time temporary position within the Fire Prevention Bureau and,

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

Jason Manizza

BE IT FURTHER RESOLVED that his hourly rate shall be \$24.05 , with an effective date of August 16, 2021.

CA-3 Authorizing the Promotion of Ricardo Figueroa to the Position of Assistant Superintendent of the Department of Public Works, Effective August 16, 2021, \$130,000.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PROMOTION OF RICARDO FIGUEROA TO THE POSITION OF ASSISTANT SUPERINTENDENT OF PUBLIC WORKS

WHEREAS, the Borough of Fort Lee Mayor and Council have determined that it would be prudent to appoint an **Assistant Public Works Superintendent** ; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee wish to promote **Supervisor of Sewers, Ricardo Figueroa** , to the position of **Assistant Public Works Superintendent** , with an **effective date of August 16, 2021** ; 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 \$130,000 in accordance with the Department Head Contract; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be available for public inspection in the Office of the Borough Clerk.

CA-4 Authorizing Merit Increases and or Title Changes: T. Bai, Keyboarding Clerk I, \$40,700.00; E. Chung Keyboarding Clerk I, \$50,593.00; A. Ellsworth, Keyboarding Clerk IV, \$68,527.00; P. Ferrara, Public Works Superintendent, \$145,955.00, Effective September 20, 2021; H. Fong, Keyboarding Clerk I, \$40,700.00, S. Lee, Keyboarding Clerk I, \$49,523.00; E. Rosario, Borough Clerk, \$142,262.00; C. Senft, Keyboarding Clerk I, \$40,700; A. Sophias, Keyboarding Clerk I, \$40,700.00; V. Vergara, Keyboarding Clerk I, \$40,700.00; C. Vida, Keyboarding Clerk III, \$80,886.00; K. Williams, Keyboarding Clerk I, \$51,360.00, Effective August 16, 2021

WHEREAS, the Mayor and Council have authorized merit increases and/or title changes for the following employees:

<u>Name</u>	<u>Title</u>	<u>Salary</u>	<u>Effective Date</u>
Bai, T.	Keyboarding Clerk I	\$40,700.00	8/16/2021
Chung, E.	Keyboarding Clerk I	\$50,593.00	8/16/2021
Ellsworth, A	Keyboarding Clerk IV	\$68,527.00	8/16/2021
Ferrara, P.	Public Works Superintendent	\$145,955.00	9/20/2021
Fong, H.	Keyboarding Clerk I	\$40,700.00	8/16/2021
Lee, S	Keyboarding Clerk I	\$49,523.00	8/16/2021
Rosario, E.	Borough Clerk	\$142,262.00	8/16/2021
Senft, C.	Keyboarding Clerk I	\$40,700.00	8/16/2021
Sophias, A.	Keyboarding Clerk I	\$40,700.00	8/16/2021
Vergara, V.	Keyboarding Clerk I	\$40,700.00	8/16/2021
Vida, C.	Keyboarding Clerk III	\$80,886.00	8/16/2021
Williams, K.	Keyboarding Clerk I	\$51,360.00	8/16/2021

BE IT RESOLVED that the above listed salaries and titles associated with each employee shall be effective in accordance with the above table.

CA-5 Authorizing the Borough Administrator to Adjust the Salary of Lori Tighe-Kodora in Accordance with a Memorandum of Understanding Dated November 19, 2019, \$41,922.00 Adjusted Annual Salary

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADJUST THE SALARY OF MS. LORI TIGHE- KODORA IN ACCORDANCE WITH A MEMORANDUM OF DATED NOVEMBER 14, 2019

WHEREAS, on November 7, 2019, Resolution R-1 was approved by the Mayor and Council of the Borough of Fort Lee establishing a minimum salary for certain White-Collar Union employees who met specific criteria; and

WHEREAS, in response to the filling of grievance from representatives of the White-Collar Union a review was performed to determine if any employees were omitted from the original approved list; and

WHEREAS, upon completion of said review it has been determined that Ms. Lori Tighe-Kodora should have been included on the original approved roster of employees; and

NOW THEREFORE BE IT RESOLVED, that Ms. Kodora's annual salary be adjusted to reflect the aforementioned increase, and

BE IT FURTHER RESOLVED, that this shall be retroactive to November 14, 2019 and her new annual salary shall be \$41,922.00

CA-6 Award of a Contract to Decotiis, FitzPatrick, Cole & Giblin, LLP for the Provision of Legal Services Related to the Property Exchange Between the Borough and the United States Postal Service, \$175.00 Hourly Rate

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT TO DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP, FOR THE PROVISION OF PROFESSIONAL LEGAL SERVICES (SPECIAL COUNSEL)

WHEREAS, there exists a need to retain the services of a licensed attorney to serve as special counsel with regards to the proposed property exchange between the Borough and the United State Postal Service; and

WHEREAS, the Borough wishes to retain the services of DeCotiis, FitzPatrick, Cole & Giblin, LLP, (“DeCotiis”) to provide legal services in accordance with its proposal dated July 20, 2021; 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 professional legal services to be performed by the Attorney are professional services and this contract was awarded without competitive bidding as a “professional service” pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 19:44A-20.4 et seq., commonly known as the New Jersey Local Unit Pay-to-Play Law, took effect on January 1, 2006; and

WHEREAS, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification has been submitted by DeCotiis and shall be placed and maintained on file at the office of the Borough Clerk; and

WHEREAS, DeCotiis possesses the requisite expertise and skilled personnel required to serve as special counsel; and

WHEREAS, the Borough is desirous of awarding a contract for professional legal services to DeCotiis in accordance with the procedures mandated under the Local Public Contracts Law; and

WHEREAS, the professional legal services regarding the proposed property exchange between the Borough and the United State Postal Service will be provided by DeCotiis as follows:

\$175.00 Hourly attorney services
\$125.00 Hourly for services performed by law clerks
\$100.00 Hourly for services performed by paralegals

; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available for this purpose from account number 01-2010-20-1552-260, said certification being attached to this resolution; 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, a notice of the contract award shall be published in accordance with the

requirements of N.J.S.A. 40A:11-1 et seq.;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that a contract be awarded to firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP for the provision of legal services in connection with the property exchange between the Borough and the United States Postal Service.

CA-7 Authorize the Purchasing Agent to Obtain Bid Specifications and Advertise for Project Known as Reconstruction of the Area Known as Junction

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE PURCHASING AGENT TO OBTAIN SPECIFICATIONS AND ADVERTISE FOR BIDS FOR PROJECT KNOWN AS RECONSTRUCTION OF THE AREA KNOWN AS THE JUNCTION .”

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. Reconstruction of the Area Known as The Junction

CA-8 Authorizing the Execution of a Shared Services Agreement with the Fort Lee Board of Education for the Use of Certain Facilities for Recreational Purposes

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

WHEREAS, the Borough of Fort Lee (“Borough”) is a municipal corporation of the State of New Jersey in the County of Bergen, established in accordance with N.J.S.A. 40A:60-1 et seq.; and

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

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

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

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

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

WHEREAS, the shared services agreement will have a term of three (3) years, and may be extended for such additional periods at the mutual option of both the Borough and the Board; and

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

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

WHEREAS, this resolution shall supersede any prior resolutions passed related to this shared services;

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

1. That entry into the shared services agreement with the Board is pursuant to and in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., and is hereby authorized.

2. That the Mayor shall be and is hereby authorized to execute an agreement between the Borough and the Board, memorializing the terms and conditions for the use of certain facilities owned by the Board to provide recreational facilities for the benefit of the citizens of the Borough, subject to review and revision by the Borough Attorney.

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

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

CA-9 Authorizing a Shared Services Agreement with the Borough of Dumont for the use of Fire Vehicles and Equipment

A RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND THE BOROUGH OF DUMONT FOR FIRE AND OTHER PUBLIC SAFETY PURPOSES

WHEREAS, it is recommended by the Fire Chief of the Borough of Fort Lee that a shared service with the Borough of Dumont be entered into for the short-term sharing of fire vehicles and equipment; and

WHEREAS, this joint lending agreement between both municipalities will increase services to the public, while decreasing operational costs for each municipality; and

WHEREAS, the Agreement has been assessed by the Borough Administrators of the Borough of Fort Lee and the Borough of Dumont; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the shared service agreement, for the short-term sharing of fire vehicles and equipment, be entered into with the Borough of Dumont for the period of one year with the ability to renew for one additional, consecutive year.

CA-10 Award of a Contract to Boswell Engineering for the Provision of Pre-Demolition Services at the Fort Lee US Post Office, Not to Exceed \$11,200.00
RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO BOSWELL ENGINEERING FOR PROJECT KNOWN AS PRE-DEMOLITION ENVIRONMENTAL SERVICES

WHEREAS, there exists a need for the Borough of Fort Lee ("Borough") to retain the services of a licensed engineer to provide engineering services for project known as Pre-Demolition Environmental Services at the Fort Lee United States Postal Service; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by persons authorized by law to practice a recognized profession,

whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

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

WHEREAS, the Borough wishes to retain the services of Boswell Engineering to perform such professional engineer services in accordance with its proposal, dated July 7, 2021 attached hereto; and

WHEREAS, Boswell Engineering possesses the requisite expertise and skilled personnel required to provide engineering services related to the Pre-Demolition Environmental Services at the Fort Lee United States Postal Service; and

WHEREAS, pursuant to Boswell’s proposal, the following is the proposed scope of services:

Task No. 1 Asbestos Abatement	\$3,500.00
Task No. 2 Demolition Plans and Specifications	\$4,500.00
Task No. 3 Geophysical Survey	\$1,000.00
Task No. 3 Geophysical Survey Contractor	\$1,500.00
Task No. 4 Well Decommissioning	<u>\$ 700.00</u>
Grand Total	\$11,200.00

;and

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

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

WHEREAS, pursuant to Resolution R-9, duly adopted by the Borough on January 7, 2021, Boswell Engineering was awarded a contract pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq. to serve as Borough Engineer; and

WHEREAS, the professional engineering services for this phase of the project will be performed by Boswell Engineering at a cost not-to-exceed \$11,200.00, and the contract for such professional engineering services is awarded pursuant to a “fair and open” process in accordance with the New Jersey Local Unit Pay-To-Play Law; and

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

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

1. That Boswell Engineering shall be and is hereby appointed to provide professional engineering services regarding project known as Pre-Demolition Environmental Services at the Fort Lee United States Postal Service in accordance with its proposal, dated July 7, 2021, attached hereto and made a part hereof, for a cost not-to-exceed \$11,200.00.

2. That upon 80% completion of the engineering work pursuant to this resolution, Boswell Engineering shall provide written notice to the Borough Clerk as to

whether the services will be completed within the budget established for the services. If the services are expected to exceed the budget, Boswell Engineering shall submit a detailed cost overrun schedule for review and consideration by the Borough.

3. That Boswell Engineering is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of N.J.S.A. 10:5-31 et seq.
4. That a notice of the contract award shall be published as may be required by law, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.
5. That the Chief Financial Officer has certified that funds are available for this purpose.
6. That no further action of the Borough shall be required.

CA-11 Authorizing the Hourly Wage Correction for Nury Orozco, Part-Time Building Maintenance Worker, Retroactively from May 24, 2021, \$13.64 Hourly

RESOLUTION OF THE BOROUGH OF FORT LEE AMENDING THE HOURLY WAGE OF MS. NURY OROZCO , PART-TIME BUILDING MAINTENANCE WORKER

WHEREAS, on May 21, 2021, the Mayor and Council authorized the hiring of a Ms. Nury Orozco as a Part-time Building Maintenance Worker in the Public Buildings and Grounds Department at \$12.00 per hour; and

WHEREAS, it was determined that the original hourly rate of pay was incorrect; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the hourly wage associated Ms. Orozco is amended to reflect \$13.64 per hour; and

BE IT FURTHER RESOLVED that this amendment is retroactive from May 24, 2021.

CA-12 Authorizing the Hiring of Various Part-Time Seasonal Employees in the Community Center and Recreation Center

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

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

NOW, THEREFORE, BE IT RESOLVED that the below listed individuals will be hired as fall seasonal employees in the Department listed, with an effective date provided by the Department Head to our Payroll Department; and

BE IT FURTHER RESOLVED that said individuals be paid at an hourly rate as stipulated below, **effective September 1, 2021 through December 31, 2021** ;

NAME	POSITION	DEPARTMENT	HOURLY RATE:
Ashman, Christopher	Supervisor	Community Center	\$15.00
Keller, Alan	Supervisor	Community Center	\$15.00
Jaikissoon, Eric	Supervisor	Community Center	\$15.00

Khatchadourian, Natalie	Supervisor	Community Center	\$15.00
Nannas, Dimitri	Supervisor	Community Center	\$15.00
Puma, Joseph	Supervisor	Community Center	\$15.00
Asharian, Laudan	Recreation/Tennis Attendant	Recreation	\$15.00
Ashman, Christopher	Recreation/Tennis Attendant	Recreation	\$15.00
DeGidio, Ashley	Recreation/Tennis Attendant	Recreation	\$15.00
Gathers, Savannah	Recreation/Tennis Attendant	Recreation	\$15.00
Gulsen, Berkan	Recreation/Tennis Attendant	Recreation	\$15.00
Keller, Alan	Recreation/Tennis Attendant	Recreation	\$15.00
Khatchadourian, Natalie	Recreation/Tennis Attendant	Recreation	\$15.00
Kellas, Kim	Crafts Instructor	Recreation	\$20.00
Kellas, Kim	Recreation/Tennis Attendant	Recreation	\$15.00
Pappas, Constantina	Crafts Instructor	Recreation	\$20.00
Pappas, Constantina	Recreation/Tennis Attendant	Recreation	\$15.00
Rosa, Shaina	Recreation/Tennis Attendant	Recreation	\$15.00
Schiff, Barry	Adult Art Instructor	Recreation	\$30.00

CA-13 Authorizing the Hiring of Stella Tragellis and Taylor M. Quinton in the Municipal Court Effective August 16, 2021, \$35,000.00 Annual Salary

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE HIRING OF STELLA TRAGELLIS AND TAYLOR M. QUINTON TO THE MUNICIPAL COURT

WHEREAS, due to vacancies in the Municipal Court, the Mayor and Council have determined that the vacancies should be filled and the following transfer be authorized; and,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that both **Stella Tragellis and Taylor M. Quinton** be hired to a full-time position of **Keyboarding Clerk 1** in the **Municipal Court**, with an **effective date of August 16, 2021**; and

BE IT FURTHER RESOLVED that these appointments shall be provisional pending certification from the New Jersey Civil Service Commission and shall be at an annual salary of **\$35,000.00**, in compliance with the Salary Ordinance of the White-Collar Contract.

CA-14 Authorizing the Hiring of Sindy Singh as an Intern in the Health Department Commencing Retroactively August 2, 2021 through September 2021

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

WHEREAS, at certain times of the year, an intern position exist with our Health Department, and the Mayor and Council have determined that the position 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 a Health Department Intern, of which said position is unpaid, and **commenced retroactively to August 2, 2021** and will continue through early September 2021 until 200 hours are fulfilled with our Health Department.

1. Sindy Singh

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

CA-15 Approving a Request from the Fort Lee Public Library for the use of the Barrymore Film Center on Wednesday, November 10, 2021 at 7:00 P.M. and Sunday, December 12, 2021 at 2:00 P.M .

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST FROM THE FORT LEE PUBLIC LIBRARY TO HOLD EVENTS AT THE BARRYMORE FILM CENTER ON NOVEMBER 10, 2021 AND DECEMBER 12, 2021

WHEREAS, on July 30, 2021 the Borough of Fort Lee received a request from the Fort Lee Public Library to hold two events at the Barrymore Film Center; and

WHEREAS, these events will be held on November 10, 2021 from 5:00 to 9:00 PM and December 12, 2021 from 12:00 to 4:00 PM; and

WHEREAS, all staffing and custodial needs will be provided by the Fort Lee Public Library; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee, grants permission to Fort Lee Public Library to hold two events at the Barrymore Film Center on November 10, 2021 from 5:00 to 9:00 PM and December 12, 2021 from 12:00 to 4:00 PM; and

BE IT FURTHER RESOLVED, that this approval is predicated upon the completion of the Barrymore Film Center.

CA-16 Authorizing the Award of an Emergency Purchase for Fire Department Hoses, \$22,781.05

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF AN EMERGENCY PURCHASE FOR FIRE DEPARTMENT HOSES

WHEREAS, the Borough of Fort Lee was notified of Fire Department hoses that failed their yearly inspection/testing, by Fire Flow, the company performing the tests, on August 5th, 2021; and

WHEREAS, the Fire Chief along with the Qualified Purchasing Agent have determined it was an emergency affecting the public health, safety, and welfare and new hose needed to be purchased; and

WHEREAS, the Borough is required to purchase new hoses with a vendor in a timely and safe manner to provide for the safety of its residents; and

WHEREAS, the Borough of Fort Lee Purchasing Agent has declared the need for an emergency purchase of new fire hoses; and

WHEREAS, Firefighter One, 34 Wilson Drive, Sparta, NJ 07871 has provided the Borough with a quote for the emergency purchase of new fire hoses for the Borough of Fort Lee Fire Department and will provide said hoses at a cost of \$22,781.05; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available for this purpose from account number 01-2010-26-2661-115, said certification

being attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Matthew Rutch, Qualified Purchasing Agent is hereby authorized to purchase new fire hoses based on the determination of an emergency from Firefighter One, as described herein.

CA-17 Authorizing the Appointment of School Guards for the Year 2021-2022: A. Navasart, A. Makhmetova, J.L. Richardone, D. M. Rizzi, R. H. Williams and A. J. Ventola

RESOLUTION OF THE BOROUGH OF FORT LEE APPOINTING SCHOOL CROSSING GUARDS FOR THE YEAR 2021-22

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that the following be appointed as **School Crossing Guards** in the Borough of Fort Lee without authority to carry a firearm:

- Afarian, Navasart
- Makhmetova, Alla
- Richardone, Jenni L.
- Rizzi, Dawn M.
- Williams, Richard H.
- Ventola, Elaina J.

CA-18 Authorizing the Award of a Contract to D.L.S. Contracting, Inc. Project Known as Improvements to 11th Street, Not to Exceed \$43,769.95

A RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT TO D.L.S. CONTRACTING, INC. FOR THE CONSTRUCTION OF IMPROVEMENTS AS PART OF THE 2021 CDBG ROAD RESURFACING PROGRAM FOR PROJECT KNOWN AS IMPROVEMENTS TO 11TH (ELEVENTH) STREET

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

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

WHEREAS, quotations were received from the following company's in response to the Borough's solicitation of quotations for the construction of improvements as part of the 2021 Road Resurfacing Program:

DLS Contracting, Inc.	\$43,769.95
ECPM, Inc	\$49,822.50
APCO Paving Co., Inc	\$53,084.00

and;

WHEREAS, after a review of the quotations, the Borough has determined that the quotations submitted by DLS Contracting, Inc, is in compliance with the requirements of the project specifications and that DLS Contracting, Inc. constitutes the lowest, responsible and complying response for the construction of improvements as part of the 2021 Road Resurfacing Program and

WHEREAS, the Borough's Chief Financial Officer has reviewed the Borough's available funds and has determined that sufficient funds are available from account number 01-201041-8902-001 – 11th Street Reconstruction - for the construction of improvements as part of the 2021 Road Resurfacing Program, said certification being attached to this resolution; and

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

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

1. That DLS Contracting, Inc., 36 Montesano Road, Fairfield, New Jersey, 07004 has provided the lowest responsible and compliant quotation and is awarded a contract for the construction of improvements as part of the 2021 Road Resurfacing Program, in accordance with the applicable quotation documents and specifications in the amount of \$43,769.95.
2. That the Mayor be and is hereby authorized to execute a contract with the DLS Contracting, Inc. for the provision of services for the construction of improvements as part of the 2021 Road Resurfacing Program.
3. That the Chief Financial Officer has certified that funds are available for the construction of improvements as part of the 2021 Road Resurfacing Program.
4. That a copy of this resolution, the specifications and quotations, and contract shall be maintained in the Borough Clerk's Office and made available for public inspection.
5. That this Resolution shall take effect immediately.

Public Comments

<u>Name</u>	<u>Topic</u>	<u>Address</u>
1. Maury Sholman	CA-8	2200 N. Central Road

Mr. Maury Sholman asked what service agreement CA-8 was in regard to. Councilman Cervieri and Councilman Suh responded; this was to amend a correction in a previously adopted resolution with the Board of Education.

2. June Ruggiero	Cannabis Sales	2195 N. Central Road
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Ms. June Ruggiero asked if cannabis was able to be utilized on school properties. Councilman Suh responded no; you are not permitted to utilize any type of tobacco on school properties.

3. Linda Barba	Smoking in the Park	2200 N. Central Road
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Ms. Linda Barba asked when kids are smoking in the park, do we call the police. The Council members responded yes.

There being no further discussion, the public hearing was closed on motion by Councilman Suh, seconded by Councilman Sohmer. On motion by Councilman Suh, seconded by Councilman Sohmer the Consent Agenda regarding CA-1 through CA-18 was approved on the following roll call:

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

RESOLUTIONS

R-4 Authorizing the Hiring of Gregory Cervieri as a Full-Time Building Inspector in

the Building Department, Effective August 16, 2021, \$58,000.00 Annual Salary

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

August 12, 2021
Regular Session Meeting

Resolution # R-4

Carried: X Defeated: Tabled:

Approved on Consent Agenda:

*Councilman Cervieri recused and stepped away from the dais. Councilwoman Kasofsky presided over this portion of meeting.

RESOLUTION AUTHORIZING THE HIRING OF A FULL-TIME POSITION AS BUILDING INSPECTOR IN THE BUILDING DEPARTMENT

WHEREAS, the Construction Code Official has requested the Mayor and Council to hire a Building Inspector, and the Mayor and Council have determined that the position should be filled,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **Gregory Cervieri** be hired with the Building Department, to a full-time position as **Building** Inspector, with an effective date of **August 16, 2021**, at an annual salary of **\$58,000-** pursuant to the White Collar Contract; and

BE IT FURTHER RESOLVED that this appointment is provisional pending certification from the New Jersey Civil Service Commission.

R-5 Authoring the Renewal of Liquor License No. 0219-33-025-006, 2020 Central Road Liquor, LLC Inactive License for Licensing Term July 1, 2021, Through June 30, 2022

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

August 12, 2021
Regular Session Meeting

Resolution # R-5

Carried: X Defeated: Tabled:

Approved on Consent Agenda:

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING RENEWAL OF LIQUOR LICENSE NO. 0219-33- 025-006 “2020 CENTRAL ROAD LIQUOR, LLC” (INACTIVE) FOR LICENSING TERM JULY 1, 20 21 - JUNE 30, 2022, SPECIAL RULING N.J.S.A. 33:1-12.39 GRANTED

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 2020 Central Road Liquor, LLC, license number 0219-33-025-006 effective July 1, 2021 through June 30, 2022; and

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

BE IT RESOLVED, the Division Alcoholic Beverage Control has reviewed the Special Ruling (N.J.S.A. 33:1-12.39) petition submitted by 2020 Central Road Liquor, LLC, 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 0219-33-025-006 for the July 1, 2021 - June 30, 2022 license term; and

BE IT FURTHER RESOLVED, that this resolution shall supersede any prior

resolutions relating to renewal of license number 0219-33-025-006 for the July 1, 2021 - June 30, 2022 license term; and

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

R-6 Authorizing the Transfer a Person-to-Person Liquor License No. 0219-44-009-004 From: 2450 Lemoine Avenue, LLC T/A Quench Wines & Spirits To: TS Liquors, LLC

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

August 12, 2021
Regular Session Meeting

Resolution # R-6

Carried: X Defeated: Tabled:

Approved on Consent Agenda:

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING TRANSFER OF PERSON-TO-PERSON LIQUOR LICENSE NO. 0219-44-009-004 FROM 2450 LEMOINE AVE, LLC., TO TS LIQUORS, LLC., EFFECTIVE AUGUST 12, 2021

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 0219-44-009-004, heretofore issued to TS Liquors, LLC.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed, and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED, that the Borough of Fort Lee Governing Body does hereby approve, effective August 12, 2021 the transfer of the aforesaid Plenary Retail Distribution License to TS Liquors, LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to TS Liquors, LLC., effective August 12, 2021."

R-7 Governing Body Certification of the 2020 Annual Audit

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

August 12, 2021
Regular Session Meeting

Resolution # R-7

Carried: X Defeated: Tabled:

Approved on Consent Agenda:

Cervieri			X			
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**RESOLUTION OF THE BOROUGH OF FORT LEE MAYOR AND COUNCIL
CERTIFYING THE 2020 ANNUAL AUDIT ”**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **2020** has been filed by a Registered Municipal Accountant with the **Municipal Clerk** pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the **Mayor & Council** of the **Borough of Fort Lee** , hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R-8 Approving the 2020 Corrective Action Plan

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

August 12, 2021 Regular Session Meeting Resolution # R-8 Carried: <u>X</u> Defeated:___ Tabled:___ Approved on Consent Agenda:___

**RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING THE 2020
CORRECTIVE ACTION PLAN**

WHEREAS, the 2020 audit was received by the Mayor and Council of the Borough of Fort Lee; and

WHEREAS, certain comments and recommendations were made in the 2020 audit and are attached hereto; and

WHEREAS, a corrective action plan has been submitted by the Chief Financial Officer of the Borough of Fort Lee and is attached hereto; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Fort Lee to implement the corrective action plan in response to comments and recommendations contained in the 2020 Audit Report.

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

1. That the Mayor and Council have implemented the corrective action plan filed by the Chief Financial Officer in order to comply with the comments and recommendations as set forth in the 2020 Audit.

2. That a certified copy of this resolution shall be forwarded to the Division of Local Government Services, the Borough Administrator, Chief Financial Officer and the Borough Auditor.

3. That the Corrective Action Plan and this resolution shall be available for public inspection in the Office of the Borough Clerk.

R-9 Authorizing the Hourly Wage Correction for Various Part-Time Summer/Fall Seasonal Employees, Stage/Event Crew Department, \$12.50 - \$14.50 Hourly

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

*Councilman Suh recused and stepped away from the dais

August 12, 2021 Regular Session Meeting Resolution # R-9 Carried: <u>X</u> Defeated: <u> </u> Tabled: <u> </u> Approved on Consent Agenda: <u> </u>
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**RESOLUTION OF THE BOROUGH OF FORT LEE AMENDING THE HOURLY WAGES OF
SUMMER AND FALL SEASONAL EMPLOYEES**

WHEREAS, on July 8, 2021, the Mayor and Council authorized the hiring of part-time summer and fall seasonal employees at various hourly rates; and

WHEREAS, it was determined that the original hourly rate of pay was incorrect; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the hourly wage associated with Events Crew is amended to reflect as stipulated below, **effective retroactive to July 1 through December 31, 2021**;

NAME	POSITION	DEPARTMENT	HOURLY RATE:
Baek, Cameron	Events Crew	Community Center - Stage	\$14.50
Lozano, David	Events Crew	Community Center - Stage	\$12.50
Mateus, Andy	Events Crew	Community Center - Stage	\$12.50
Salamah, Sebastian	Events Crew	Community Center - Stage	\$12.50
Soliman, Romie	Events Crew	Community Center - Stage	\$12.00

Soliman, Hisham	Events Crew	Community Center - Stage	\$12.00
Labib, Benjamin	Events Crew	Community Center - Stage	\$12.00

COUNCIL REPORTS

Councilman Sohmer - In light of all the members of the public present, Councilman Sohmer has decided to dispense his council reports for this evening.

Councilman Yoon - Councilman Yoon has decided to dispense his council reports for this evening.

Councilman Suh- Councilman Suh has decided to dispense his council report for this evening.

Councilman Sargenti - Councilman Sargenti has decided to dispense his council reports for this evening.

Councilwoman Kasofsky - Councilwoman Kasofsky has decided to dispense her council reports for this evening.

Councilman Cervieri - Councilman Cervieri has decided to dispense his council reports for this evening.

PUBLIC PARTICIPATION

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

The following residents came forward and spoke of the proposed project known as Palisades Interstate Park and expressed their concerns regarding the removal of trees, loss of environmental clean air, proposed parking spaces, natural habitat, current walking paths, and the need for another field containing synthetic grass:

<u>Name</u>	<u>Address</u>
1. June Ruggiero	2195 N. Central Road
2. Josif Gheti	2200 N. Central Road
3. Elisabeth Greenberg Mitchell	2200 N. Central Road
4. Linda Barba	2200 N. Central Road
5. Julianne Chen	2200 N. Central Road
6. Zoe Zachariadis	2205 N. Central Road
7. George Constantine	2200 N. Central Road
8. Michael R.	2200 N. Central Road
9. Eugene Evans	2337 Hudson Terrace
10. Christopher Malon	2350 5 th Street
11. Eric D.	2200 N. Central Road
12. Andrey Grigoryev	2200 N. Central Road
13. Viny C.	2200 N. Central Road
14. Veruschka Mulder	2329 Hudson Terrace
15. Larry Kaslow	2200 N. Central Road
16. Sing Chen	2200 N. Central Road
17. Genevieve Lee	2365 Hudson Terrace
18. Melba Kurman	2200 N. Central Road

The following residents came forward and spoke favorably of the proposed project known as Palisades Interstate Park and expressed their sentiments regarding the relief of overcrowded fields, allotted training availability and more space for the children.

1. Mickey Osso	230 Warren Avenue
2. Joe Tripodi	1568 John Street

Members of the council accepted the balance of all interests regarding the proposed

project known as Palisades Interstate Park and plan to work together.

<u>Name</u>	<u>Topic</u>	<u>Address</u>
Moshe Politis	Bridge Plaza Escalator	2200 N. Central Road

Mr. Moshe Politis explained his concerns of the steep stairways leading to the entrance to the bus terminals and the need for escalators.

Members of the Council responded that they are interested in this proposal and will pursue with gaining more information.

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

On motion by Councilman Sargenti, seconded by Councilman Suh, and there being no further discussion, the meeting was adjourned with no objections at 8:51 P.M.

Prepared By:

Nadine Drumgoole
Deputy Municipal Clerk

Constantina Reditis
Municipal Clerk's Office

Rosa Tropea
Municipal Clerk's Office

Evelyn Rosario
Municipal Clerk