

REGULAR MEETING

MAYOR AND COUNCIL

Thursday, September 12, 2019 @ 7:00 p.m.

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

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

ABSENT: Councilman Sargenti

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

OPEN PUBLIC MEETINGS ACT STATEMENT

In accordance with Chapter 231, P.L. 1975 adequate notice of this meeting was e-mailed on January 4, 2019 to The Record, the Jersey Journal and the Star Ledger. Said notice was also posted on the Borough Hall bulletin board and Borough website. A copy of this notice is on file in the Office of the Borough Clerk.

MAYOR'S REPORT AND ANNOUNCEMENTS

"We have a busy agenda tonight so my opening remarks will be brief. First and foremost, I want to congratulate the Board of Education and the entire community for a very successful opening of our new 5th and 6th grade school. We have all done a tour of it; it is a beautiful, beautiful building and it is going to serve an incredible purpose here in town because it is going to relieve the burden on all the other elementary schools. Everyone is excited about it. You know nothing is perfect, you have to work out the details and make sure that things run smoothly. But knowing how diligent our Board of Ed and Superintendent Rota and his staff are, I am sure anything that has to be worked out in fact will be worked out. So, congratulations to the school district on that. And Government, you too should be proud of that because you played a large part in that referendum back in the day, so I know I am proud of it. You know we said this all time, we can have, we can invest billions of dollars in our infrastructure but if we do not have a strong public school system, I think that, that truly undermines the purpose of what we are trying to achieve here in Government. So, I think we are all going in the right direction and public education in Fort Lee is absolutely in the midst of an incredible upwards trajectory and that was a group effort and we applaud the Board of Ed in that regard. Number one.

Number two. Last night was our, we had the 18th anniversary Memorial at our 9/11 Memorial at Constitution Park. I have to tell you, you know I speak to Mayors all the time from the area, and they speak of their 9/11 Memorials and yes you know we had 100 people and yes we had 50 people, and I do not know but by my count, there must have been six or seven hundred people there last night. It was very well attended. It is very touching to see that there are so many folks in Fort Lee that just feel, you know, they feel compelled to be somewhere so that they can be with their fellow residents, their friends, their families and you know, and share their experience or just be in the company of fellow Americans so that they get through that day. 9/11 has had a wide and varied impact depending on who you are, but you may rest assured you knew exactly where you were when you first heard about it. I know I did. And I am just so happy that in advance of the 10th anniversary, **8 ½ years ago, we collectively put our efforts** together and built that Memorial because I think it came out great and you know like I reminded everyone last evening, obviously it was inspired by the tragedy of 9/11 and by

the victims and their families, but it was also inspired by the way in which our First Responders performed on 9/11 and the ensuing days. Whether it was the Fire Department manning Fire Stations in New York City because of the loss of Firefighters there; whether it was our Ambulance Corps and our OEM establishing a huge triage area in the Fort Lee High School ballfield; or it was the Police Department that actually under the order of the State Police, took control of the George Washington Bridge and did not allow anybody to go through. We, Fort Lee played an integral part in all of that and we are proud of it. We are proud of everybody and God willing we are vigilant and that never ever happens again. On that thought, Governor Murphy was good enough to forward to Fort Lee, a proclamation, that is brief, and I will read it quickly.”

PROCLAMATION

Proclamation Read by Mayor Mark Sokolich

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Proclamation

WHEREAS, throughout our nation’s history, the people of people of New Jersey have together with their fellow Americans time-and-again to ensure the preservation of the founding ideals of freedom and liberty we enjoy today; and

WHEREAS, American patriotism has endured through times of turmoil and times of peace, carrying our nation through the darkest days of history and strengthening our commitment to the ideal upon which our country was founded; and

WHEREAS, Patriot Week allows us to reaffirm our dedication to the fundamental American ideals of freedom, justice and equality and reinstills the spirit of volunteerism as a core civic responsibility for all citizens; and

WHEREAS, New Jersey residents gather at memorial ceremonies across the state, we are once again demonstrating the resilience, determination, compassion, strength, and patriotism that define us as Americans;

WHEREAS, in great reverence to the victims of the attacks on **September 11, 2001, and recognition of the signing of the Constitution on September 17, 1787, Patriot Week is a time to celebrate the principles set forth by our Founding Fathers as well as the countless Patriots, vital documents, speeches, and flags that helped make America the great nation it is today,**

NOW, THEREFORE, I, Philip D. Murphy, Governor of the New Jersey, do hereby proclaim:

**SEPTEMBER 11, 2019
AS
PATRIOT DAY
AND
NATIONAL DAY OF SERVICE AND REMEMBRANCE**

In New Jersey and urge all residents to honor those who lost lives eighteen years ago, to reflect upon America’s proud tradition of freedom, and to renew our commitment to serving our communities, state, and nation.

The Proclamation was signed by Governor Phil Murphy and Lt. Governor Sheila Oliver. The Mayor stated that this Proclamation will be displayed here at Borough Hall. And the Mayor thanked everyone for attending and thanked everyone for their support of the First Responders here in Fort Lee.

APPROVAL OF MINUTES

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the July 18, 2019 Regular Session were approved.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the August 8, 2019 Work Session were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the August 8, 2019 Regular Session were approved.

At this time in the meeting, Mayor Sokolich deviated from the agenda and opened the meeting to the public.

PUBLIC PARTICIPATION

Gene Bazzarelli , 1475 Bergen Blvd. - He discussed Fort Lee’s Restaurant Week. Mayor Sokolich and Councilman Cervieri responded.

INTRODUCTION OF ORDINANCES

Ord. #2019-27 “AN ORDINANCE OF THE MUNICIPAL COUCIL OF THE BOROUGH OF FORT LEE ADOPTING THE REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 10 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. (Public Hearing October 10, 2019)

Councilman Cervieri recused and left the dais

On motion by Councilman Sohmer, seconded by Councilman Suh, and carried, Ord. #2019-27 entitled “AN ORDINANCE OF THE MUNICIPAL COUCIL OF THE BOROUGH OF FORT LEE ADOPTING THE REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 10 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. (Public Hearing October 10, 2019) was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **October 10, 2019**.

AYES: Council Members Sohmer, Yoon, Suh , Kasofsky

Ord. #2019-28 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED “HANDICAPPED PARKING SPACES ” (Removal 422 Elizabeth Street) (Public Hearing October 10, 2019)

On motion by Councilman Cervieri, seconded by Council man Sohmer, and carried, Ord. #2019-28 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” (Removal 422 Elizabeth Street) (Public Hearing October 10, 2019) was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **October 10, 2019**.

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

Ord. #2019-29 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE ” (Public Hearing October 10, 2019)

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried, Ord. #2019-29 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE” (Public Hearing October 10, 2019) was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance was scheduled for **October 10, 2019**.

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

ORDINANCE PUBLIC HEARINGS

Ord. #2019-16 “AN ORDINANCE AUTHORIZING THE ABROGATION AND EXECUTION OF A LEASE AGREEMENT FOR BOROUGH PROPERTY WITH HOOK AND LADDER COMPANY #3 ”

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2019-16 entitled “AN ORDINANCE AUTHORIZING THE ABROGATION AND EXECUTION OF A LEASE AGREEMENT FOR BOROUGH PROPERTY WITH HOOK AND LADDER COMPANY #3”

ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE ABROGATION AND EXECUTION OF A LEASE AGREEMENT FOR BOROUGH PROPERTY WITH HOOK AND LADDER COMPANY #3

WHEREAS, the Borough of Fort Lee (“Borough”) and Hook and Ladder Company No. 3, Inc., a nonprofit corporation of the State of New Jersey located at 2012 Jones Road in the Borough (“Tenant”) entered into a lease agreement for a term of fifty (50) years commencing on January 1, 1975, and ending on December 31, 2024, to use and occupy certain land owned by the Borough (“Lease”); and

WHEREAS, there exists a need for the Borough to abrogate the current Lease and enter into a new lease with modified terms for a period of fifty (50) years for certain real property owned by the Borough as further described in the Schedule A (“Property”) to the Lease Agreement attached hereto in form and substance as **Exhibit A**; and

WHEREAS, the Tenant has consented to the abrogation of the Lease and execution of the Lease Agreement; and,

WHEREAS, the Lease Agreement is exempt from public bidding pursuant to Section 14 of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.;

WHEREAS, pursuant to Section 15 of the Local Lands and Buildings Law (N.J.S.A. 40A:12-15), the Borough has the power to enter into the Lease Agreement with the Tenant because it is for the public purpose of providing fire protection by the Tenant; and

WHEREAS, the abrogation of the current Lease and execution of the Lease Agreement with the Tenant is necessary for the continued efficient operation of Fire Company #3 and is in the best interests of the Borough and its taxpayers; and

WHEREAS, the Borough and Tenant desire to enter into the Lease Agreement for a fifty (50) year term subject to the terms and conditions set forth therein;

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 current Lease between the Borough and the Tenant is hereby abrogated.

BE IT FURTHER ORDAINED that the Lease Agreement is hereby approved and the Mayor and Borough Clerk are hereby authorized to execute and witness the execution of the Lease Agreement between the Borough and the Tenant for a term of fifty (50) years, commencing on January 1, 2019 and terminating on December 31, 2049, at the rental rate of \$1.00 per year, as attached hereto in form and substance as **Exhibit A**; and

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

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

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

Ord. # 2019-17 "AN ORDINANCE AMENDING CHAPTER 388 ARTICLE V SCHEDULES, SECTION 67 SCHEDULE XXI, PARKING PROHIBITED DURING CERTAIN TIMES DURING THE WINTER MONTHS AND SECTION 68, SCHEDULE XXII, PARKING PROHIBITED WHEN ROAD IS SNOW COVERED OF THE CODE OF THE BOROUGH OF FORT LEE "

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried, the public hearing was opened relative to Ord. #2019-17 entitled "AN ORDINANCE AMENDING CHAPTER 388 ARTICLE V SCHEDULES, SECTION 67 SCHEDULE XXI, PARKING PROHIBITED DURING CERTAIN TIMES DURING THE WINTER MONTHS AND SECTION 68, SCHEDULE XXII, PARKING PROHIBITED WHEN ROAD IS SNOW COVERED OF THE CODE OF THE BOROUGH OF FORT LEE "

AN ORDINANCE AMENDING CHAPTER 388 ARTICLE V SCHEDULES, SECTION 67 SCHEDULE XXI, PARKING PROHIBITED DURING CERTAIN TIMES DURING THE WINTER MONTHS AND SECTION 68, SCHEDULE XXII, PARKING PROHIBITED WHEN ROAD IS SNOW COVERED OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388 Schedules, Section 67 and 68, are hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-67 Parking Prohibited Certain Times During the Winter Months, is hereby amended to delete the following street from the prohibition that no vehicle may between the hours of 12:00 midnight and 6:00 a.m., between December 1 and March 31:

Central Boulevard From Palisades Park line at 14th Street to Anderson Avenue

Section 2. That the current text of Borough Ordinance 388-68 Parking Prohibited When Road Is Snow Covered, is hereby amended to add the following street to the prohibition that no person shall park a vehicle upon the following streets or portions of streets while the road is snow covered:

Central Boulevard Both Sides From Palisades Park line at 14th Street to Anderson Avenue

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

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

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

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

Ord. #2019-18 "AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE VI OVERNIGHT PARKING, SECTION 48 NO OVERNIGHT PARKING ZONES, OF THE CODE OF THE BOROUGH OF FORT LEE "

On motion by Councilman Cervieri, seconded by Councilman Suh, and carried, the public hearing was opened relative to Ord. #2019-18 entitled "AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE VI OVERNIGHT PARKING, SECTION 48 NO OVERNIGHT PARKING ZONES, OF THE CODE OF THE BOROUGH OF FORT LEE"

AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE VI OVERNIGHT PARKING, SECTION 48 NO OVERNIGHT PARKING ZONES, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 289 Parking, Article VI Overnight Parking Meters, Section 48 No Overnight Parking Zones, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 289-48 No Overnight Parking Zones, is hereby amended to add the following streets where no vehicle may be parked between the hours of 2:00 a.m. and 6:00 a.m. with the exception of residents who live on these streets and have registered with the Fort Lee Parking Authority:

Central Avenue
South Side, from Lemoine Avenue to Park Avenue

Park Avenue
West Side, from Central Avenue to Main Street

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

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

There being no public discussion, the public hearing was closed **on motion by**

Councilman Cervieri , seconded by Council man Suh .

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

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

Ord. #2019-19 “AN ORDINANCE AMENDING CHAPTER 289 PARKING, SECTION 15, PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE ”

On motion by Councilman Cervieri , seconded by Councilman Suh, and carried, the public hearing was opened relative to Ord. #2019- 19 entitled “AN ORDINANCE AMENDING CHAPTER 289 PARKING, SECTION 15, PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE”

AN ORDINANCE AMENDING CHAPTER 289 PARKING, SECTION 15, PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 289 Parking, Section 15, Parking Meter Zones Established; Violations and Penalties is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 289-15(B)(6)(a) is hereby replaced in its entirety and amended to read as follows:

- (6) North Marginal Road (BPN)
 - (a) South side, from a point 71 feet east of the easterly crosswalk of Center Avenue and continuing easterly for a distance of 255 feet: 3 Hours.

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

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

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

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

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

Ord. #2019-20 “AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, SECTION 56 SCHEDULE XII: TAXI STANDS; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE ”

On motion by Councilman Cervieri , seconded by Council woman Kasofsky , and carried, the public hearing was opened relative to Ord. #2019-20 entitled “AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, SECTION 56 SCHEDULE XII: TAXI STANDS; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE”

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, SECTION 56 SCHEDULE XII: TAXI STANDS; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Section 56, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-56 Schedule XII: Taxi Stands; Violations and Penalties, Section A is hereby replaced and amended to read as follows:

- (1) Bridge Plaza North (formerly Cross Street). South Side, beginning at the apex of Bridge Plaza North and Lemoine Avenue, continuing 154 feet west to the beginning of the taxi stand, then progressing 120 feet to the end of the taxi stand.
- (b) The taxi stand created herein provides sufficient space for the parking of five (5) vehicles for licensed drivers issued by the Borough of Fort Lee.

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

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

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

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

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

Ord. #2019-21 "AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 6 OF THE CODE OF THE BOROUGH OF FORT LEE SPECIAL LAW ENFORCEMENT OFFICERS CLASS III COMPENSATION"

On motion by Councilman Cervieri, seconded by Council man Suh, and carried, the public hearing was opened relative to Ord. #2019-21 entitled "AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 6 OF THE CODE OF THE BOROUGH OF FORT LEE SPECIAL LAW ENFORCEMENT OFFICERS CLASS III COMPENSATION"

AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, SECTION 6 OF THE CODE OF THE BOROUGH OF FORT LEE SPECIAL LAW ENFORCEMENT OFFICERS CLASS III COMPENSATION

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that pursuant to Chapter 90 Police Department, Section 6 Compensation of the Code of the Borough of Fort Lee compensation is hereby established as follows:

Section 1. Compensation of a Special Law Enforcement Officer Class III, will be set at the rate range of \$35.00 to \$40.00 per hour, by the Appropriate Authority, individually, by hire in its discretion.

Section 2. All Ordinances, or parts thereof, in conflict or inconsistent with this Ordinance are hereby repealed, but only, however, to the extent of such conflict or inconsistency, it being legislative intent that all Ordinances or parts of Ordinances now existing or in effect, unless the same be in conflict or inconsistent with any provisions of this Ordinance, shall remain in effect.

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, or phrase thereof shall, for any reason, be held

to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sub-sections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. This Ordinance shall take effect upon passage and publication as provided by law.

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

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

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

Ord. #2019-22 "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 6, AMBULANCE CORPS, SECTION 8 OFFICERS, ACTING OFFICERS, AND ENGINEERS "

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried, the public hearing was opened relative to Ord. #2019-22 entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 6, AMBULANCE CORPS, SECTION 8 OFFICERS, ACTING OFFICERS, AND ENGINEERS"

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 6, AMBULANCE CORPS, SECTION 8 OFFICERS, ACTING OFFICERS, AND ENGINEERS

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 6, Ambulance Corp, Section 8 Officers, Acting Officers and Engineers is hereby replaced in its entirety and amended as follows:

Section 1. That the current text of Borough Ordinance 6-8 is hereby replaced and amended to read as follows:

All officers and actin officers will receive an additional quarterly stipend, payable each quarter of the calendar year, provided they are fulfilling the responsibilities of their assigned positions. The stipends paid to each officer shall breakdown as follows:

<u>Officer Position</u>	<u>Stipend Shift Level</u>
Chief	30-32 Shifts
Deputy Chief	27-29 Shifts
Scheduling Officer	24-26 Shifts
Treasurer	20-23 Shifts
Supply Officer	20-23 Shifts
Secretary	20-23 Shifts

The engineer of the Corps will receive an additional quarterly stipend (rated at the 20-23 shift level), payable each quarter of the calendar year, provided he/she is fulfilling the responsibilities of the assigned position. If the Chief of the Corps assigns an assistant engineer, that assistant engineer will receive 2 regular stipend shifts per month, provided he/she fulfilling the responsibilities of the assistant engineer.

The Chief of the Corps will be responsible for determining if Corps officers and engineer(s) are fulfilling their responsibilities. Additionally, the Corps Council will be responsible for determining if the Chief is fulfilling his/her responsibilities. Any officer who takes a Leave of Absences (LOA) during his/her term of office will be subject to a monthly review by the Chief (or the Corps Council if the review is of the Chief's duties),

for the duration of the LOA, to ensure that he/she is fulfilling his/her responsibilities, and qualifies for the officer's stipend, while on said LOA.

Section 2. All Ordinances, or parts thereof, in conflict or inconsistent with this Ordinance are hereby repealed, but only, however, to the extent of such conflict or inconsistency, it being legislative intent that all Ordinances or parts of Ordinances now existing or in effect, unless the same be in conflict or inconsistent with any provisions of this Ordinance, shall remain in effect.

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, or phrase thereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sub-sections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. This Ordinance shall take effect upon passage and publication

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

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

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

Ord. #2019-23 "AN ORDINANCE ABOLISHING THE BOROUGH OF FORT LEE LOCAL ASSISTANCE BOARD "

On motion by Councilman Cervieri, seconded by Council man Suh, and carried, the public hearing was opened relative to Ord. #2019-23 entitled "AN ORDINANCE ABOLISHING THE BOROUGH OF FORT LEE LOCAL ASSISTANCE BOARD"

AN ORDINANCE ABOLISHING THE BOROUGH OF FORT LEE LOCAL ASSISTANCE BOARD

WHEREAS, the Borough of Fort Lee ("Borough") previously established the Borough of Fort Lee Local Assistance Board ("Board") to provide certain human services for the Borough; and

WHEREAS, by way of Resolution R-4 adopted June 6, 2019, the Borough entered into a Shared Services Agreement with the County of Bergen's Human Services Advisory Council pursuant to its authority under N.J.S.A. 40A:65-1; and

WHEREAS, the services of the Board are no longer required as the services will be performed in conjunction with the County;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey, being the governing body thereof, that the Fort Lee Local Assistance Board is hereby abolished.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

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

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

Councilman Cervieri - He congratulated the Local Assistance Board for all the good work they performed through the years.

Ord. #2019-24 "AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 388, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF FORT LEE"

On motion by Councilman Cervieri, seconded by Council man Suh, and carried, the public hearing was opened relative to Ord. #2019-23 entitled "AN ORDINANCE ABOLISHING THE BOROUGH OF FORT LEE LOCAL ASSISTANCE BOARD"

AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 388, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 388-51, Schedule XIV-A: Right Turn Only, of the Code of the Borough of Fort Lee, is hereby amended, revised and supplemented as follows:

Section 1. That Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 388-51, Schedule VII: One Way Streets, is hereby revised and supplemented to add an additional street as follows:

<u>Name of Street</u>	<u>Direction</u>	<u>Limits</u>
Old Palisade Road	East	From Kaufers Lane to Main Street

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon passage and publication as provided by law.

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

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

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

Ord. #2019-25 "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED: VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE"

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried, the public hearing was opened relative to Ord. #2019-25 entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE”

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 289 PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 289 Parking, Section 15 Parking Meter Zones Established; Violations and Penalties, is hereby amended and supplemented as follows:

Section 1. That the current text of Borough Ordinance 289-15 Parking Meter Zones Established; Violations and Penalties, is hereby amended and supplemented to add the following streets and meter regulations:

(28) Central Avenue - South side, between Hudson Street and Park Avenue

(a) One hour meters are hereby authorized to be installed, CA 5 through CA 11, beginning 25 ft from the cross walk on the South corner of Hudson Street and Central Avenue, moving in an easterly direction for 143 ft and shall be metered from 8:00 a.m. to 2:00 a.m., except on Sunday and Holidays.

(29) Park Avenue - West side, between Central Avenue and Main Street

(a) Three hour meters are hereby authorized to be installed, PA 1 through PA 7, beginning 40 feet from the apex on the South corner of Central Avenue and Park Avenue, moving in a southerly direction for 141 feet and shall be metered from 8:00 a.m. - 2:00 a.m., except on Sunday and Holidays.

Section 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

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

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

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

Ord. #2019-26 “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CCM COMPANY, LLC ”

On motion by Councilman Cervieri, seconded by Council man Sohmer, and carried, the public hearing was opened relative to Ord. #2019-26 entitled “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING

THE EXECUTION OF A LEASE AGREEMENT WITH CCM COMPANY, LLC”

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE
AUTHORIZING THE EXECUTION OF A LEASE ADDENDUM
WITH CCM COMPANY, LLC**

WHEREAS, the Borough of Fort Lee (“Borough”) owns air space premises of a parcel of land situated in the Borough, being the same premises conveyed by the New Jersey Department of Transportation to the Borough by deed, dated August 19, 1977, duly recorded in the office of the Bergen County Clerk in Book 6306, Page 471 (“Property”); and

WHEREAS, the Borough leased the Property to E.M.F. Associates, Limited, pursuant to Lease Agreement, dated August 4, 1977, that was duly recorded in Bergen County Clerk’s office in Book 6306, Page 480 (“Lease Agreement”) for a term of ninety-nine years for the purpose of permitting the development of a senior citizen housing project; and

WHEREAS, on July 1, 1996, E.M.F. Associates, Limited, deeded the housing project to pursuant to CCM Company, LLC (“Tenant”) that was duly recorded in Bergen County Clerk’s office in Book 7891, Page 305; and

WHEREAS, the Borough authorized and executed a Landlord Agreement and Modification to Lease Agreement, dated December 16, 2009 with the Tenant and Oak Grove Commercial Mortgage, LLC that was duly recorded in Bergen County Clerk’s office in Book 00323, Page 2163 in order to refinance the refinance the housing project; and

WHEREAS, in order to upgrade the kitchen and bathroom of each unit and upgrade the common areas, the Tenant is in the process of refinancing its mortgage for the project through a guaranty program of the United States Department of Housing and Urban Development (“HUD”) that will be secured by a Multifamily Mortgage, Assignment of Rents and Security Agreement; and

WHEREAS, as the insurer of the repayment of the mortgage loan, HUD requires the Borough and Tenant enter into a Lease Addendum concerning the rights of HUD and a lender to be named with respect to the Property, pursuant to the National Housing Act, as amended, 12 U.S.C. § 1701 et seq., incorporated by reference herein and attached hereto as Exhibit A;

WHEREAS, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., the Borough is empowered to enter into the Lease Addendum because it is for the public purpose of refinancing to provide the housing project with various upgrades;

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 Mayor and Borough Clerk are hereby authorized to execute and witness the execution of the Lease Addendum between the Borough; CCM Company, LLC; HUD; and the lender with respect to the Property, substantially in the form incorporated by reference herein and attached hereto as Exhibit A, and in form substance satisfactory to the Municipal Attorney, including any minor revisions as are approved by the Mayor after consultation with the Municipal Attorney.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

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

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

PROPOSED CONSENT AGENDA

On motion by Councilman Cervieri, seconded by Councilman Sohmer, the Proposed Consent Agenda was introduced, and the public hearing was opened relative to items CA-1 through CA-13

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	\$25,633,513.63
Current - Grant	1,962.00
Capital	1,330,026.26
Road Improvement Plan	
Multiple Dwelling	
Construction Fees	
COAH Fees	
Senior Citizen Advisory Council	1,241.90
Trip Admissions	285.00
Special Dog Account	
Trust Account Fund	
Disability Insurance Trust	
Public Assistance Trust Fund	
Police Activity Trust	
Fort Lee Film Commission	2,466.57
Community Development	
Redemption Account	
School Resource Account	
Fire Prevention Recycling	780.00
Dedicated Penalties (Fire Prevention)	
POAA	
Cop Card Donation	3,130.21
Police Treasury	60,386.59
Police Justice	
Flexible Spending	
Trust Account	
Developers BOFNJ	40,743.81
Developers B of America	10,543.40
Total:	\$27,085,079.37

CA-2 Authorizing the Hiring of Various Seasonal Employees in the Community Center and Recreation Department

RESOLUTION 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 seasonal employees; and,

NOW, THEREFORE, BE IT RESOLVED that the below listed individuals will be hired as seasonal employees in the Departments listed retroactively for the period from September 1, 2019 through December 31, 2019; and

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

NAME	POSITION	DEPARTMENT	HOURLY WAGE
Asharian, Laudan	Youth Center/Recreation Attendant	Recreation	\$11.50
Asharian, Laudan	Office Worker	Recreation	\$12.00
DeGidio, Ashley	Youth Center/Recreation Attendant	Recreation	\$12.00
Diaz, Paris	Youth Center/Recreation Attendant	Recreation	\$11.50
Gulsen, Berkan	Youth Center/Recreation Attendant	Recreation	\$11.50
Khatchadourian, Natalie	Youth Center/Recreation Attendant	Recreation	\$11.50
Kellas, Kim	Crafts Instructor	Recreation	\$20.00
Lu, Larry	Youth Center/Recreation Attendant	Recreation	\$11.50
Pappas, Constantina	Crafts Instructor	Recreation	\$20.00
Pappas, Constantina	Office Worker	Recreation	\$12.00
Rosa, Shaina	Youth Center/Recreation Attendant	Recreation	\$11.00
Ashman, Christopher	Supervisor	Community Center	\$12.00
Jaikissoon, Eric	Supervisor	Community Center	\$12.00
Nannas, Dimitri	Supervisor	Community Center	\$12.00
Picinich, Donald	Supervisor	Community Center	\$12.00
Puma, Joseph	Supervisor	Community Center	\$12.00

CA-3 Accepting Retirement Notice from Jose M. Martinez, Department of Public Works, Effective September 1, 2019

RESOLUTION OF THE BOROUGH OF FORT LEE ACCEPTING THE RETIREMENT NOTICE OF JOSE MARTINEZ

BE IT RESOLVED that **Jose Martinez, Truck Driver**, of the **Public Works Department**, has submitted her retirement notice dated August 8, 2019 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Mr. Martinez’s retirement will be **effective September 1, 2019** with the Borough of Fort Lee.

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

CA-4 Authorizing a Shared Services Agreement with the Borough of Leonia for the Shared use of Fort Lee ’s Municipal Court Facilities

**RESOLUTION OF THE BOROUGH OF THE BOROUGH OF FORT LEE
AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT FOR
MUNICIPAL COURT FACILITIES BETWEEN THE BOROUGH OF FORT LEE AND
THE BOROUGH OF LEONIA**

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

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

WHEREAS, the Borough of Fort Lee desires to contract with the Borough of Leonia for the provision of municipal court facilities for the period of September 2019 to August 31, 2020; and

WHEREAS, the Borough of Fort Lee has agreed to provide municipal court facilities to the Borough of Leonia at a rate of \$30,000 per year; and

WHEREAS, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, this agreement is in the best interest of the Borough of Fort Lee.

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

1. Entry into the Shared Services Agreement entitled "AGREEMENT BETWEEN THE BOROUGH OF LEONIA AND THE BOROUGH FO FORT LEE TO SHARE MUNICIPAL COURT FACILITIES" between the Borough of Fort Lee and the Borough of Leonia for the provision of municipal court facilities 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, in substantially the same form, between Fort Lee and Leonia, memorializing the terms and conditions for Leonia's use of Fort Lee's Municipal Court.
3. That upon execution of the Shared Services Agreement, this resolution and the agreement between the parties shall be available for public inspection in the Office of the Borough Clerk.
4. That the agreement shall take effect upon the execution of agreement by the parties in accordance with N.J.S.A. 40A:65-5(c), et seq. and approval of the Administrative Office of the Courts and the Assignment Judge of the Superior Court of New Jersey, Bergen County Vicinage.
5. That a copy of this resolution and agreement shall be forwarded to the Director of the Division of Local Government Services in accordance with N.J.S.A. 40A:65-4(3)b; and
6. That a copy of this resolution shall be forwarded to the Borough of Leonia.

CA-5 Renewal Membership South Bergen Municipal Joint Insurance Fund

**RESOLUTION OF THE BOROUGH OF FORT LEE FOR RENEWAL OF
MEMBERSHIP IN THE SOUTH BERGEN MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Borough of Fort Lee is a member of the South Bergen Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2016 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Fort Lee agrees to renew its membership in the South Bergen Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the South Bergen Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

CA-6 Authorizing the Tax Collector to Participate in an Electronic Tax Sale

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE TAX COLLECTOR TO COMPLETE AND SUBMIT AN APPLICATION TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES (DLGS) TO PARTICIPATE IN THE ELECTRONIC TAX SALE PROGRAM

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Fort Lee wishes to participate in an electronic tax sale.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

CA-7 Authorizing the Donation of Fire Surplus Equipment to the Bergenfield Fire Training Center, Inc.

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE DONATION OF SURPLUS FIRE DEPARTMENT EQUIPMENT

WHEREAS, the Borough of Fort Lee Fire Department owns personal protective equipment, list attached, that has reached the end of its useful life; and

WHEREAS, the Borough of Fort Lee Fire Department is requesting permission from the Mayor and Council to donate said equipment to the Bergenfield Fire Training Center, Inc.; and

WHEREAS, the Bergenfield Fire Training Center, Inc. will utilize this equipment for training purposes only; and

WHEREAS, the Borough of Fort Lee is permitted by law to donate this equipment as requested; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that the equipment listed below be surplus; and

BE IT FURTHER RESOLVED , that the equipment shall be donated by the Borough of Fort Lee to the Bergenfield Fire Training Center, Inc.; and

BE IT FURTHER RESOLVED , that the equipment will be donated in their “as is” condition, without any warranties by the Borough of Fort Lee, that the equipment is used for training purposes only and on the condition that the recipients shall hold the Borough of Fort Lee harmless for any claims arising out of the equipment after the transfer to the Bergenfield Fire Training Center.

Turnout Coats Being Donated

<u>Manufacturer</u>	<u>Date of MFG</u>	<u>Size</u>	<u>Serial #</u>
Morning Pride	1/22/2010	C 46L 28x34 SL 31	1001007514
Morning Pride	1/22/2010	C48 31X37 SL 35	1001007501
Morning Pride	1/22/2010	C 54 30X36 SL 34	1001007494
Morning Pride	1/22/2010	C 50 31X37 SL 34.5	1001007506
Morning Pride	1/22/2010	C 56 L 32X37 SL 34	1001007499
Morning Pride	1/22/2010	C52 32X38 SL 35	1008002040
Morning Pride	1/22/2010	C 42 29X35 SL 31	1008002038
Morning Pride	1/22/2010	C56 32x37 SL 34	10010075499
Morning Pride	1/22/2010	C 52 L 31X36 SL 35	1011002907
Morning Pride	1/22/2010	C48 32X38 SL 35	1011002906
Morning Pride	1/22/2010	C 50 32X38 SL 36	1011002905
Morning Pride	1/22/2010	C 50 31X37 SL 34.5	1001007505
Morning Pride	1/22/2010	C 46 29x35 SL 34	1001007500

Turnout Pants Being Donated

<u>Manufacturer</u>	<u>Date of MFG</u>	<u>Size</u>	<u>Serial Number</u>
Morning Pride	1/22/2010	42X28	1011002923
Morning Pride	1/22/2010	52X28	1001007546
Morning Pride	1/22/2010	38X30	1011002922
Morning Pride	1/22/2010	50X29	1001007527
Morning Pride	1/22/2010	46x30	1001007526
Morning Pride	1/22/2010	48X34	1011002919
Morning Pride	1/22/2010	44X30	1001007543
Morning Pride	1/22/2010	44X34	1011002920
Morning Pride	1/22/2010	42X32	1001007534
Morning Pride	1/22/2010	48X31	1008002043
Morning Pride	1/22/2010	42x32	1001007538
Morning Pride	1/22/2010	42X32	1011002912
Morning Pride	1/22/2010	58X29	1001007532

Helmets Being Donated

<u>Manufacturer</u>	<u>Date of MFG</u>	<u>Serial Number</u>
HONEYWELL - BEN FRANKLIN	9/1/2009	9090106006
HONEYWELL - BEN FRANKLIN	1/5/2010	1001001235
MORNING PRIDE	1/5/2010	1001001232
HONEYWELL - BEN FRANKLIN	1/5/2010	1001001216
HONEYWELL - BEN FRANKLIN	1/5/2010	10011000230
HONEYWELL - BEN FRANKLIN	1/5/2010	1001001224
HONEYWELL - BEN FRANKLIN	1/5/2010	1011000234
HONEYWELL - BEN FRANKLIN	1/5/2010	1001001220
Phenix	1/5/2010	no serial number
Morning Pride	12/10/2004	mph0182400
Cairns	8/30/2002	10045362
HONEYWELL - BEN FRANKLIN	10/19/2006	610006028
HONEYWELL - BEN FRANKLIN	1/5/2010	1001001193
HONEYWELL - BEN FRANKLIN	10/19/2006	610006034
HONEYWELL - BEN FRANKLIN	1/5/2010	*101001235

Turnout Boots Being Donated

<u>Manufacturer</u>	<u>Date of MFG</u>	<u>Size</u>	<u>Serial Number</u>
Haix	9/2010	11W	154161101914
Haix	5/2009	10W	135951001339

CA-8 Approving a Request from the Business District Alliance to Place Signage on Hudson Lights Park

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING A REQUEST FROM THE BUSINESS DISTRICT ALLIANCE TO PLACE SIGNAGE ON HUDSON LIGHTS PARK

WHEREAS, the Borough of Fort Lee received a request from the Fort Lee Business District Alliance to permit the placement of promotional signage on Hudson Lights Park; and

WHEREAS, the placement of this signage is in the best interest of the business district and the Borough; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee, grants permission for the placement of signage on Hudson Lights Park.

CA-9 Authorizing Change Order No. 1 for Project Known as “Emergency repairs to the Bluff Road Pump Station ”, \$50,920.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING CHANGE ORDER #1 TO THE CONTRACT FOR THE PROVISION OF EMERGENCY REPAIRS TO THE BLUFF ROAD PUMP STATION

WHEREAS, on prior occasion pursuant to duly adopted Resolution No. R-2, the Mayor and Council of the Borough of Fort Lee (“Borough”) determined an emergency condition existed at the Bluff Road Pump Station in the Borough threatening the health, safety and welfare of citizens of the Borough; and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:1-1 et seq., the Borough had solicited proposals for the performance of emergency services and awarded a contract to J. Fletcher Creamer & Son, Inc., who had submitted the lowest compliant proposal for the services, to provide emergency repairs to the roof at the Bluff Road Pump Station; and

WHEREAS, during the course of the project, J. Fletcher Creamer & Son, Inc. submitted Change Order #1, detailing additional work and adjustments to the quantities of services and materials provided that resulted in an increase of the original contract price by \$50,920.00; and

WHEREAS, the Borough has determined that the authorization of Change Order #1 to the contract for the provision of emergency repairs to the roof at the Bluff Road Pump Station and close out of the contract are necessary for its efficient operation; and

WHEREAS, the Chief Financial Officer of the Borough has reviewed its available funds and has determined that sufficient funds are available for Change Order #1 for the provision of emergency repairs to the roof at the Bluff Road Pump Station;

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 Change Order #1 in the additional amount of \$50,920.00 to the original contract price of \$340,430.00 for the provision of emergency repairs to the roof at the Bluff Road Pump Station is hereby authorized in accordance with the provisions of the Local Public Contracts Law and its implementing regulations, N.J.A.C. 5:30-11.1 et seq.

2. That Borough personnel are hereby authorized to close out the contract with Creamer the provision of emergency repairs to the roof at the Bluff Road Pump Station.

3. That the Chief Financial Officer has certified that funds are available in Borough's 2019 Capital Account for Change Order No. 1 to the contract for the provision of emergency repairs to the roof at the Bluff Road Pump Station.

4. That a copy of this resolution, the contract, and change order shall be maintained in the Borough Clerk's Office, and made available for public inspection.

5. That this Resolution shall take effect immediately and no further action of the Borough shall be required.

CA-10 Authorizing the Award of a Contract to Billy Contracting and Restoration for Project Known as Roof replacement at the Fort Lee Recreation Center, Not to Exceed \$161,000.00

RESOLUTION OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT FOR THE REPLACEMENT OF THE ROOF AT THE FORT LEE RECREATION CENTER

WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") have determined that it is necessary to contract for the replacement of the roof at the Fort Lee Recreation Center; and

WHEREAS, on prior occasion pursuant to duly adopted resolutions, the Borough awarded a contract to Neglia Engineering Associates to provide services as a licensed engineer for the preparation of construction plans and bid specifications for the procurement of services for the replacement of the roof at the Fort Lee Recreation Center; and

WHEREAS, on August 12, 2019, pursuant to resolution and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Borough publicly advertised and solicited bids for the replacement of the roof at the Fort Lee Recreation Center; and

WHEREAS, on August 29, 2019, bids were received from the following bidders in response to the Borough's public solicitation of bids under the Base Bid and Alternate No. 1 for the replacement of the roof at the Fort Lee Recreation Center:

Billy Contracting and Restoration, Inc. Paterson, New Jersey	\$161,000.00
NDP Construction Tinton Falls, New Jersey	\$183,790.00
Journey Contracting Co., Inc. Millstone Township, New Jersey	\$221,495.00
Northeast Roof Maintenance Perth Amboy, New Jersey	\$228,000.00
The Finest Construction Fairview, New Jersey	\$245,200.00
Arista Builders and Designers Jackson, New Jersey	\$257,000.00
Padovanni Roofing Neshanic Station, New Jersey	\$262,000.00
Roof Management, Inc. Wall, New Jersey	\$268,000.00
Mak Group, LLC Clifton, New Jersey	\$277,516.00

M.B.T. Contracting
East Hanover, New Jersey

\$344,310.00

; and

WHEREAS, after a review of the bid, the Borough has determined that the bid submitted by Billy Contracting and Restoration, Inc. is in compliance with the requirements of the bid specifications and that Billy Contracting and Restoration, Inc. constitutes the lowest, responsible and complying bidder for the replacement of the roof at the Fort Lee Recreation Center under the Base Bid and Alternate No. 1; and

WHEREAS, the Borough's Chief Financial Officer has reviewed the Borough's available funds and has determined that sufficient funds are available for the replacement of the roof at the Fort Lee Recreation Center, said certification being attached to this resolution; and

WHEREAS, the Borough has determined that the award of a contract to Billy Contracting and Restoration, Inc. for the replacement of the roof at the Fort Lee Recreation Center 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 Billy Contracting and Restoration, Inc., 67 Danforth Avenue, Paterson, New Jersey, 07501 is the lowest responsible and compliant bidder and is awarded a contract for the replacement of the roof at the Fort Lee Recreation Center, in accordance with the applicable bid documents and specifications in the amount of \$161,000.00 for the Base Bid and Alternate No. 1.

2. That the Mayor be and is hereby authorized to execute a contract with the Billy Contracting and Restoration, Inc. for the provision of services for the replacement of the roof at the Fort Lee Recreation Center.

3. That the Chief Financial Officer has certified that funds are available for the replacement of the roof at the Fort Lee Recreation Center.

4. That the bid security of the remaining bidders be returned in accordance with N.J.S.A. 40A:11-1 et seq.

5. That a copy of this resolution, the bid specifications and bids, and contract shall be maintained in the Borough Clerk's Office, and made available for public inspection.

7. That this Resolution shall take effect immediately.

CA-11 Authorizing the Issuance of Requests for Qualifications for Professional Services and Extraordinary Unspecifiable Services to the Borough of Fort Lee

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES AND OR EXTRAORDINARY UNSPECIFIABLE SERVICES TO THE BOROUGH OF FORT LEE

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.3, a municipality may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said municipality's political parties or to any candidate's committee of any person serving in an elective public office of the said municipality when such a contract was awarded, unless said business entity is awarded a contract under a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et

seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the “RFQ”) issued a minimum ten (10) calendar days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly announce the weightings for the evaluation criteria and open the Qualifications Statements; and

WHEREAS, it has become necessary for the Borough of Fort Lee (hereinafter the “Borough”) to engage professionals and the Borough desires to appoint such professionals by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Fort Lee, County of Bergen and State of New Jersey that requests for RFQs for professional services for the following professional services for the Borough and its agencies are hereby authorized:

1. Borough Attorney
2. Labor Attorney
3. Borough Auditor
4. Bond Counsel
5. Borough Engineer
6. Building Department/Fire Prevention Bureau Accountant
7. Municipal Court/Police Department Accountant
8. Tax Counsel
9. Borough Risk Manager
10. Health Benefits
11. Traffic Engineer
12. Special/Conflict Counsel
13. Borough Planner
14. Rent Leveling Board Attorney
15. Radio Frequency Communications Engineer
16. Financial Advisor
17. Real Estate Tax Appeal Appraiser
18. Grant Consulting Services
19. Certified Social Worker (CSW), Licensed Social Worker (LSW), Licensed Clinical Social Worker (LCSW) or a Licensed Psychologist, who focuses on hoarding and geriatrics

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all such RFQs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough or Borough Agency; (4) and cost proposal.

CA-12 Authorizing the Award of a Contract for Professional Engineering Services to HDR Engineering, Inc. for the Preparation of Various CSO Reports as Required by NJDEP, Not to Exceed \$111,000.00

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

WHEREAS, there exists a need for the Borough of Fort Lee (“Borough”) to retain the services of a licensed engineer to assist the Borough in the preparation of reports required by the Borough’s Combined Sewer Overflow Permit (NJ0034517); and

WHEREAS, on prior occasion pursuant to duly adopted resolutions, the Mayor and Council of the Borough appointed Hydroqual, which has since merged with HDR

Engineering, Inc. (“HDR”), to provide professional engineering services for the implementation of a compliance schedule for the development of a Long-Term Control Plan related to its Combined Sewer Overflow Permit (NJ0034517) and the preparation of an update to the Borough’s Combined Sewer Outfall Facility Operation and Maintenance Manual; and

WHEREAS, the services for the preparation of reports 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 HDR to perform such professional engineer services in accordance with its proposal, dated July 23, 2019, attached hereto; and

WHEREAS, HDR possesses the requisite expertise and skilled personnel required to provide professional engineering services to assist the Borough in the in the preparation of reports required by the Borough’s Combined Sewer Overflow Permit; and

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

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

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the New Jersey Local Unit Pay-to-Play Law, took effect on January 1, 2006; and

WHEREAS, the retention of HDR to provide professional engineering services is pursuant to a “non-fair and open process” in accordance with the provisions of New Jersey Local Unit Pay-To-Play Law; and

WHEREAS, pursuant to the New Jersey Local Unit Pay-To-Play Law, HDR is required to complete and submit at least ten (10) days prior to the award of a contract in accordance with New Jersey Local Unit Pay-to-Play Law a Political Contribution Disclosure Form, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

WHEREAS, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have previously been submitted by HDR and are maintained on file at the office of the Borough Clerk; and

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

WHEREAS, the award of a contract for the provision of professional engineering services to assist the Borough in the preparation of reports required by the Borough’s Combined Sewer Overflow Permit is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the

Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That HDR shall be and is hereby appointed to perform professional engineering services related to assist the Borough in the preparation of reports required by the Borough's Combined Sewer Overflow Permit, in accordance with its proposal, dated July 23, 2019, attached hereto and made a part hereof.

2. That the Mayor shall be and is hereby authorized to execute a contract between the Borough and HDR, providing for compensation in an amount not to exceed \$111,000.00, and further memorializing the scope of work and such other terms and conditions as may be necessary.

3. That HDR 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, 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 shall certify as to the availability of funds for this purpose.

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

CA-13 Authorizing the Award of a Contract to Visual Computer Solutions for the Purchase of Proprietary Computer Software and Provision of Off-Duty Police Management Services, Not to Exceed \$17,500.00

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT TO VISUAL COMPUTER SOLUTIONS FOR THE PURCHASE OF PROPRIETARY COMPUTER SOFTWARE AND PROVISION OF OFF-DUTY POLICE MANAGEMENT SERVICES

WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") have determined that it is necessary to procure software to interface with its current police officer scheduling software utilized by the Borough's Police Department in the performance of its law enforcement duties; and

WHEREAS, the Borough's procurement of software for police off-duty management software is in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and its implementing regulations promulgated by the New Jersey Department of Community Affairs; and

WHEREAS, on prior occasion pursuant to duly adopted resolution, the Borough authorized the purchase of software for Police Officer Scheduling System from Visual Computer Solutions based upon the unique characteristics of the software meeting the specific needs of the Police Department and its officers in carrying out its public safety responsibilities; and

WHEREAS, the Borough wishes to procure add-on system module software for police off-duty management, which is an exclusive and proprietary module that is embedded within the Police Officer Scheduling System software; and

WHEREAS, the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5, authorizes that the provision of goods or performance of services involving proprietary computer hardware and software may be negotiated and awarded by resolution of a public entity without public advertising and bidding; and

WHEREAS, there is a special need for the add-on system module software for police off-duty management that can only be procured from Visual Computer Solutions because it is embedded within the Police Officer Scheduling System software that is proprietary software owned by Visual Computer Systems; and

WHEREAS, the cost of the software and related police off-duty management services to be provided by Visual Computer Solutions is below the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq., and, therefore, the contract is not subject to the provisions of the New Jersey Local Unit Pay-To-Play Law; and

WHEREAS, the Chief Financial Officer of the Borough has reviewed its available funds and has determined that sufficient funds are available at this time for the purchase of an add-on system module software for police off-duty management for use by the Fort Lee Police Department, said certification being attached to this resolution; and

WHEREAS, the Borough has determined that the award of a contract to Visual Computer Solutions for the purchase of an add-on system module software for police off-duty management that is an exclusive and proprietary module embedded within the Police Officer Scheduling System software for use by the Fort Lee Police Department, and related police off-duty management services, is necessary for the Borough's continued efficient operation;

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

1. That Visual Computer Solutions, 4400 U.S. Highway 9 South, Suite 3500, Freehold, New Jersey is hereby awarded a contract for the purchase of an add-on system module software for police off-duty management that is an exclusive and proprietary module embedded within the Police Officer Scheduling System software for use by the Fort Lee Police Department, and related police off-duty management services at no cost to the Borough.

2. That the Mayor is authorized to execute a contract with Visual Computer Solutions in accordance with its proposal for the purchase of the add-on system module software for police off-duty management and related police off-duty management services.

3. That the Chief Financial Officer certifies that funds are available for the purchase of the add-on system module software for police off-duty management.

4. That the contract shall be available for public inspection in the Borough Clerk's Office.

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer. The Consent Agenda regarding CA-1 through CA-13 was approved on the following roll call:

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

RESOLUTIONS

R-1 Insertion of Budget Item - Bergen County Utilities Authority 2019 Recycling Enhancement Grant \$3,000.00

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

RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING APPROVAL TO AMEND CY-2019 MUNICIPAL BUDGET BY INSERTING ITEMS OF REVENUE AND APPROPRIATION IN ACCORDANCE WITH NJSA 40A:4-87 IN THE AMOUNT OF \$3,000.00 FROM THE BERGEN COUNTY UTILITIES AUTHORITY

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local

Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Fort Lee received **\$3,000.00** from the **Bergen County Utilities Authority** and wishes to amend its **2019** Budget to include a portion of this amount as an item of revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough Of Fort Lee, that the Mayor and Council hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Budget year of **2019**, in the sum

of.....**\$3,000.00**

which is now available as a revenue item from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Revenues Offset with Appropriations:

BCUA - 2019 Recycling Enhancement Grant Program

BE IT FURTHER RESOLVED, that a like sum

of.....**\$3,000.00**

be and the same is hereby appropriated under the caption:

General Appropriations:

(a) Operations excluded from CAPS

Programs Offset by Revenues:

BCUA - 2019 Recycling Enhancement Grant Program

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby directed to forward two (2) copies of this Resolution electronically to the Director of Local Government Services.

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

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

R-2 Authorizing Execution of Various Agreements with the United States Postal Service Regarding the Property Exchange of the Main Street Post Office Property Located at 229 Main Street with a Replacement Facility

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

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF VARIOUS AGREEMENTS WITH THE UNITED STATES POSTAL SERVICE REGARDING THE PROPERTY EXCHANGE OF THE MAIN STREET POST OFFICE PROPERTY LOCATED AT 229 MAIN STREET WITH A REPLACEMENT FACILITY

WHEREAS, the United States Postal Service (the "USPS") owns property located at 229 Main Street, also known as Block 4751 Lot 24 in the Borough (the "Post Office Property"); and

WHEREAS, on or about November 17, 2016, the Borough of Fort Lee (the "Borough") and the USPS entered into a letter of intent for the potential sale of the Post Office Property to the Borough and relocation of the Post Office to a new building proposed to be constructed in the Guntzer Street parking lot ("LOI"); and

WHEREAS, on or about March 28, 2017, the Borough, the USPS and Chicago Title Company, LLC entered into an escrow agreement for the Borough to pay for all costs incurred and to be incurred by the USPS associated with the sale of the Post Office Property and its relocation to a new facility (“Escrow”); and

WHEREAS, the Borough, the USPS and New Jersey State Historic Preservation Officer have agreed to the terms of a Memorandum of Agreement with regards to the sale of the Post Office Property (the “MOA”); and

WHEREAS, the Borough and the USPS have agreed to the terms and conditions of an agreement to exchange and develop real property for the conveyance of the Post Office Property to the Borough and relocation of the Post Office to a condominium unit a new building being constructed adjacent to the Guntzer Street parking deck (the “Exchange Agreement”); and

WHEREAS, the Borough, the USPS and Chicago Title Company, LLC have agreed to the terms and conditions of a new Escrow agreement for the Borough to pay for all costs incurred and to be incurred by the USPS associated with the sale of the Post Office Property and its relocation to a new facility (the “Escrow Agreement”).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Fort Lee that it hereby approves the MOA, the Exchange Agreement and the Escrow Agreement with the United State Postal Service and other noted parties, in a form substantially consistent with those attached hereto and made part of this Resolution, subject to final review by legal counsel as to legal form and content.

BE IT FURTHER RESOLVED, that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents, including the MOA, the Exchange Agreement and the Escrow Agreement.

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

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

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

Mayor Sokolich - He stated that this resolution relates to the construction of the new Post Office. He further stated that the murals in the current Post Office will be removed, restored and redisplayed in a prominent location in town, if not in the new Post Office. He mentioned that the location of the old Post Office will become a passive park. This resolution essentially approves the phase of construction where we are and the agreements reached with the Post Office.

R-3 Endorsing Beyond Green Cannabis, LLC and Grove Group Management and Authorizing Mayor 's Execution and the Transmittal of Support to the NJ Department of Health for Medical Marijuana Dispensories

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

RESOLUTION OF THE BOROUGH OF FORT LEE EDORSING BEYOND GREEN CANNABIS, LLC AND GROVE GROUP MANAGEMENT AND AUTHORIZING MAYOR 'S EXECUTION AND THE TRANSMITTAL OF SUPPORT CORRESPONDENCE TO THE NEW JERSEY DEPARTMENT OF HEALTH FOR MEDICAL MARIJUANA DISPENSARIES

WHEREAS, the Mayor and Council have received a request from Beyond Green Cannabis, LLC and Grove Group Management (collectively referred to as “Applicants”) to support its respective application to the New Jersey Department of Health for a medical marijuana dispensary license; and,

WHEREAS, the Mayor and Council having met with Applicants and heard its respective plans for opening said medical marijuana dispensaries within the Borough of Fort

Lee; and,

WHEREAS, the Mayor and Council having determined it is in the best interests of the Borough to offer its support of said applicants and has decided to offer its support by way of correspondence to the New Jersey Department of Health;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee hereby offer its endorsement to applicants, Beyond Green Cannabis, LLC and Grove Group Management for its respective medical marijuana dispensary license applications and that the Mayor is hereby authorized to execute, nunc pro tunc, correspondence letters attached hereto in form and substance as **Exhibit A** and the Borough Clerk is authorized to transmit the attached correspondences to the New Jersey Department of Health.

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

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

R-4 Approving and Authorizing the Execution of the Developer 's Agreement Between the Borough of Fort Lee and 2100 North Central Road, FL, LLC

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

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

RESOLUTION OF THE BOROUGH OF FORT LEE APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPER 'S AGREEMENT BETWEEN THE BOROUGH OF FORT LEE AND 2100 NORTH CENTRAL ROAD FL, LLC

WHEREAS, on December 11, 2018, the Fort Lee Zoning Board of Adjustment ("Zoning Board") granted approvals to 2100 North Central Road FL, LLC (the "Developer") for the conversion of an existing office building and parking garage which fronts on North Central Road into a residential building with six (6) garage levels and seven (7) residential and amenity floors and the construction of a residential building with two (2) parking levels and ten (10) floors fronting on Hudson Terrace with a total of 316 units on property known as Block 6155, Lots 1 & 2, also known as 2100 North Central Road and 2143 Hudson Terrace(the "Property"); and

WHEREAS, on January 8, 2019, the Zoning Board adopted a resolution memorializing the approval and the Borough of Fort Lee and Developer have agreed to the terms and conditions of a Developer's Agreement; and

WHEREAS, a Developer's Agreement has been prepared by the Borough Attorney and is attached hereto.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk hereby approved and authorize to the execution of the Developer's Agreement with the Developer.

BE IT FURTHER RESOLVED that a copy of this resolution shall be filed in the Office of the Borough Clerk.

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

AYES: Council Members Sohmer, Yoon, Kasofsky, Suh

Add On R-5 Approving Auxiliary Membership Firefighter Application for Ashley DeGidio, Fire Co. #1

Councilman Cervieri introduced, and Council man Sohmer seconded, this resolution approving the Firefighter Auxiliary Membership Application for Ashley DeGidio, Fire Co. #1.

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

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

COUNCIL REPORTS

Councilman Sohmer - He congratulated Jose Martinez on his retirement.

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

Friday, November 22 - The Historical Society has their annual Punch and Pie Night.

Saturday, November 23 - The annual Retreat to Victory.

Saturday, November 30 - A history walk along the cliffs.

Sunday, October 20 - The semi-annual historic Jitney Tour of Fort Lee.

He wished everyone a Happy New Year and a quick, good fast for Yom Kippur.

Councilman Yoon - He mentioned that the Film Commission and the Barrymore Film Center and Museum is sponsoring the Cliff Hanger Film Festival series of ghost films at the Library every Thursday in October beginning on the 3rd and excluding October 24th.

Councilman Suh - He thanked everyone for attending the 9/11 Memorial Service with a special thank you to all of our Emergency Services people who were there.

He spoke about the opening of the new 5th and 6th grade intermediate school and thanked the Board of Education, the Superintendent and the principal.

He stated that registration for girls' basketball and girls' football cheerleading is open.

He mentioned that the PBA has a memorial service at the Police Department memorial on Abbott Boulevard on Saturday, September 14th at 10:00 a.m.

Councilman Sargenti - Absent

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

Saturday and Sunday, September 14 and 15 - The Library is having a book and media sale.

Saturday, September 21 - There is a ribbon-cutting for the second Community Garden on 15th Street at 11:00 a.m.

Saturday, October 12 - The 25th annual Health Fair between 9:00 a.m. - noon at the Jack Alter Community Center.

Councilman Cervieri - He mentioned that the number of Friends of the Library has grown to over 150 members.

By way of a public service announcement, he also stated that we should all be aware of scams as a recent one appeared on his computer.

Councilman Sohmer - He mentioned that the shredding event is Saturday, September 21st between 9:00 am - 1:00 p.m.

He added that tomorrow evening is alumni night at the Fort Lee High School football game.

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

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

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and there being no further discussion, the meeting was adjourned with no objections at 7:55 p.m.

Evelyn Rosario, RMC
Municipal Clerk