

Introduced	<u>Harvey Sohmer</u>	Date of Introduction	<u>January 1, 2015</u>
Seconded	<u>Joseph Cervieri</u>	Public Hearing	<u>January 15, 2015</u>
		Date of Adoption	<u>January 15, 2015</u>

BOROUGH OF FORT LEE
ORDINANCE # 2015-1

AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE IV
PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT
PARKING, SECTION 36 RESIDENTIAL PERMIT PARKING, 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 IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 36 Residential Permit Parking, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That Borough Ordinance 289-36 shall be amended to include the following provision providing for the exaction of an administrative fee for the issuance of a permit for residential parking:

S. Fees

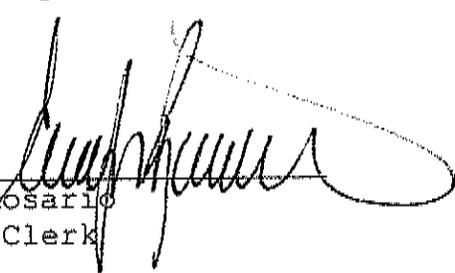
(1) The administrative fee for the issuance of a residential parking permit shall be \$5.00 every two years. The fee shall be due and payable to the Borough of Fort Lee Parking Authority.

(2) A residential parking permit shall remain effective for a period of two (2) years from the date of issuance.

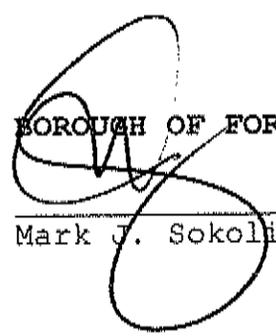
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

ATTEST:



Evelyn Rosario
Borough Clerk



BOROUGH OF FORT LEE

Mark J. Sokolich, Mayor

Introduced <u>Councilman Cervieri</u>	Date of Introduction <u>January 15, 2015</u>
Seconded <u>Councilman Schmeier</u>	Public Hearing <u>February 12, 2015</u>
	Date of Adoption <u>February 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-2

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

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

Section I: Chapter 388, Section 69, Schedule XXIII, is hereby amended and supplemented so as to add the following as a handicapped parking space:

"388-69": From the apex of the south curb line of Lewis Street along the east curb line of Edwin Avenue extending 5 feet south along the east curb line of Edwin Avenue extending another 22 feet south.

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

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

Section IV: This Ordinance shall take effect immediately upon final passage and publications according to law.

ATTEST:

Evelyn Rosario, Borough Clerk

Mark J. Sokolich, Mayor

Introduced <u>Councilman Cervieri</u>	Date of Introduction <u>January 15, 2015</u>
Seconded <u>Councilman Suh</u>	Public Hearing <u>February 12, 2015</u>
	Date of Adoption <u>February 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-3

AN ORDINANCE AMENDING SALARY ORDINANCE #2013-12 - SALARIES AND WAGES FOR DEPARTMENT HEADS, CHIEF FINANCIAL OFFICER /TREASURER, TAX COLLECTOR AND DIRECTOR FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2015-2016

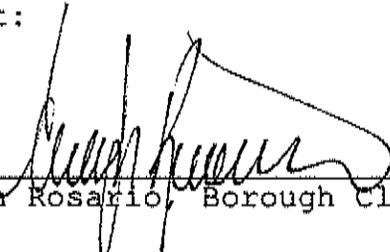
BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee as follows:

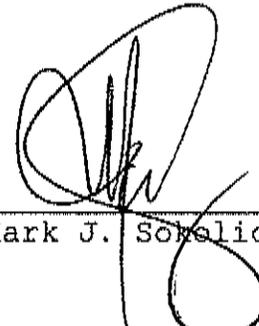
SECTION I: All employees covered by the **Department Head Bargaining Unit** (Schedule A), shall receive salaries for 2013, 2014, 2015 and 2016 as established by the Department Head Memorandum of Agreement for the years 2013, 2014, 2015 and 2016. (Available in the Office of the Borough Clerk)

SECTION II: This ordinance shall supersede any other previous salary ordinance for members of the **Department Head Bargaining Unit** for the position listed in (Schedule A) below.

SECTION III: This ordinance shall take effect immediately upon passage and publication prescribed by law.

Attest:


 Evelyn Rosario, Borough Clerk


 Mark J. Sobelich, Mayor

DEPARTMENT HEAD UNIT SALARY RANGE (Schedule A)

JANUARY 1, 2015 - DECEMBER 31, 2016

<u>TITLE</u>	<u>2015 through 2016</u>
Chief Financial Officer/ Treasurer	80,000 to 155,000
Tax Collector	80,000 to 105,000
Director Department of Public Works	90,000 to 150,000

Introduced	<u>Councilman Servici</u>	Date of Introduction	<u>January 15, 2015</u>
Seconded	<u>Councilman Scherer</u>	Public Hearing	<u>February 12, 2015</u>
		Date of Adoption	<u>February 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-4

AN ORDINANCE AMENDING SALARY ORDINANCE #2013-15 SALARIES AND WAGES FOR WHITE COLLAR EMPLOYEES - ADMINISTRATIVE SECRETARY SENIOR CLERK TYPIST AND SUPERVISING CLERK TYPIST FOR 2013-2016

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

SECTION I: All employees covered by the **White Collar Bargaining Unit** (Schedule A), shall receive salaries for 2013, 2014, 2015 and 2016 as established by the White Collar Bargaining Unit Memorandum of Agreement for the years 2013, 2014, 2015 and 2016, which is available in the Office of the Borough Clerk.

SECTION II: This ordinance establishes the title and minimum salary to be paid for the **Administrative Secretary and Senior Clerk Typist** for the years 2015-2016.

WHITE COLLAR UNIT SALARY RANGE (Schedule A)

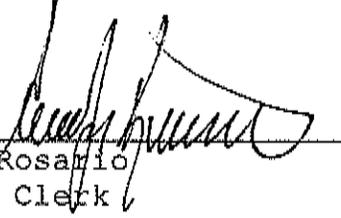
JANUARY 1, 2015 THROUGH DECEMBER 31, 2016

<u>TITLE</u>	<u>2015 THROUGH 2016</u>
Administrative Secretary	75,000 to 85,000
Senior Clerk Typist	30,000 to 80,000
Supervising Clerk Typist	40,000 to 70,000

SECTION III: This ordinance shall supersede any other previous salary ordinance established for the **Administrative Secretary, Senior Clerk Typist and Supervising Clerk Typist** of the **White Collar Bargaining Unit**.

SECTION V: This ordinance shall take effect immediately upon passage and publication prescribed by law.

Attest:



A handwritten signature in cursive script, appearing to read 'Evelyn Rosario', written over a horizontal line.

Evelyn Rosario
Borough Clerk



A handwritten signature in cursive script, appearing to read 'Mark J. Sokolich', written over a horizontal line.

Mark J. Sokolich, Mayor

Introduced	<u>Councilman Cervieri</u>	Date of Introduction	<u>January 15, 2015</u>
Seconded	<u>Councilman Suh</u>	Public Hearing	<u>February 12, 2015</u>
		Date of Adoption	<u>February 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-5

AN ORDINANCE AMENDING SALARY ORDINANCE #2014-1 SALARIES AND WAGES FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TREASURER, TAX ASSESSOR AND CERTAIN NON-UNION EMPLOYEES FOR 2013-2016

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

SECTION I: The Borough Administrator's Salary as set forth under Non-Union Personnel (Schedule B) shall be as follows for the year 2015:

NON-UNION PERSONNEL SALARY RANGE (Schedule B)

JANUARY 1, 2015 - DECEMBER 31, 2015

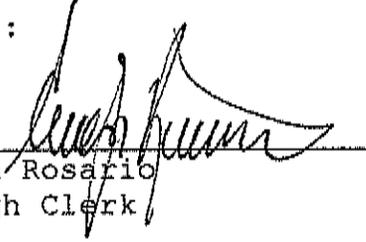
TITLE

Borough Administrator 140,000 - 210,000

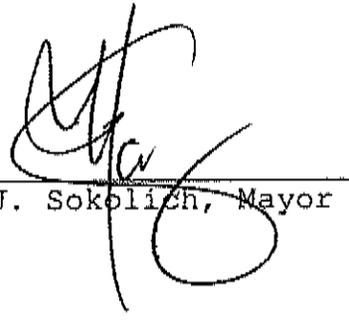
SECTION II: This ordinance shall supersede any other previous salary ordinance for members of **Non-Union Personnel (Schedule B)**

SECTION III: This ordinance shall take effect immediately upon passage and publication prescribed by law.

Attest:

A handwritten signature in black ink, appearing to read 'Evelyn Rosario', written over a horizontal line.

Evelyn Rosario
Borough Clerk

A handwritten signature in black ink, appearing to read 'Mark J. Sokolich', written over a horizontal line.

Mark J. Sokolich, Mayor

Introduced	<u>Councilman Lervico</u>	Date of Introduction	<u>January 15, 2015</u>
Seconded	<u>Councilman Schaner</u>	Public Hearing	<u>February 12, 2015</u>
		Date of Adoption	<u>February 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-6

AN ORDINANCE AMENDING CHAPTER 90 SECTION 2, POLICE DEPARTMENT, FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 90, Section 2, Police Department, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That Borough Ordinance § 90-2, **Formation and Rank**, shall be amended and supplemented and hence forth provide as follows:

A. The Police Department Table of Organization may consist of not more than 96 officers in total, in the following positions at the sole discretion of the Mayor and Council:

1 Police Chief

1 Deputy Chief

3 Captains

8 Lieutenants

8 Sergeants, the total combined Sergeants and Lieutenants shall not exceed 16

75 Police Officers, or higher not to exceed the department's full complement of officers.

B. In the event that position of Chief of Police is vacated as a result of death, illness, incapacity or any other reason, the Deputy Chief shall temporarily assume the position of Acting Chief of Police. In the event the Deputy Chief is unavailable to assume command, the senior ranking officer

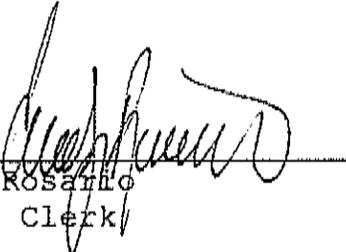
present shall assume temporary command until a Captain shall be designated by the Mayor and Council, to assume temporary command.

- C. The Chief of Police shall be the executive and supervisory officer of the Police Department and is responsible to the Police Committee for its proper functioning.
- D. Officers of the Department shall rank in the order set forth above, and rank seniority shall be determined by date of advancement to that rank plus longevity as determined by the Administrative Code for Civil Service employees.
- E. The senior ranking officer on duty on any shift shall be in charge of the Department during the shift unless relieved by an officer of higher rank, who shall thereupon sign an entry in the blotter to that effect.

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

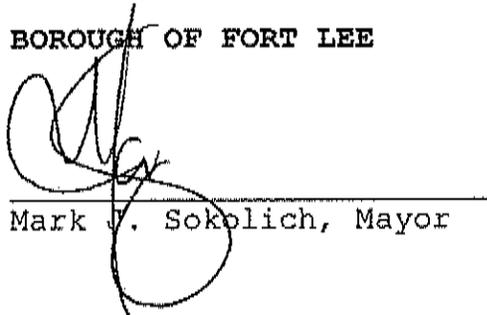
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:



Evelyn Rosario
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Cervieri</u>	Date of Introduction <u>February 12, 2015</u>
Seconded <u>Councilman Pohan</u>	Public Hearing <u>March 12, 2015</u>
	Date of Adoption <u>March 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-7

ORDINANCE NO. 2015-7

AN ORDINANCE AMENDING CHAPTER 293 PARKS AND RECREATION, ARTICLE II, REGULATIONS, OF THE REVISED GENERAL ORDINANCES 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 293 Parks and recreation, Article II Regulations, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance §293-11 Hours and days of operation., shall hereby be amended to update the following terms as follows:

§293-11 Hours and days of operation.

- A. All Borough parks, playgrounds and recreation areas shall be open seven days a week.
- B. All Borough parks, playgrounds and recreation areas, except Van Fleet Park, the Ice Skate Park in the Palisades Interstate Park, and the recreation center at the western end of Stillwell Avenue, shall open each day at 8:00 a.m. and shall close at 7:00 p.m. during Eastern standard time and shall close at 10:00 p.m. during daylight savings time, unless an activity authorized by the Recreation Department of the Borough is in progress. The recreation area at the western end of Stillwell Avenue shall open each day at 8:00 a.m. and close at 10:00 p.m. The Youth Center shall generally be open at 9:00 a.m. and close at 9:30 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday and Sunday. The Jack Alter Fort Lee Community Center shall generally be open at 9:00 a.m. and shall close at 11:00 p.m. daily. In both the Youth Center and the Jack Alter Fort Lee Community Center, the hours of operation shall be subject to specific programming.

C. No person or group of persons shall be in any park for any purpose except during the hours set forth herein. This exclusion shall not apply to officials or employees of the Borough in performance of their duties.

D. Van Fleet Park.

(1) Van Fleet Park shall be opened seven days a week from 9:00 a.m. until 10:00 p.m. to persons, groups or organizations that possess a valid permit from the Superintendent of the Recreation Department.

(2) Anyone found using Van Fleet Park without a valid permit will be ejected by the Police Department, the Superintendent of the Recreation Department, Superintendent of the Department of Public Works, or any of their agents and will be subject to penalties/punishment as determined by law.

(3) No persons, groups or organizations may use Van Fleet Park for any fund-raising or profit-making activities (such as private instruction or group instruction) without express permission by the Superintendent of the Recreation Department.

(4) Permission for use of Van Fleet Park cannot be transferred from one individual, group or organization to another individual, group or organization without authorization by the Superintendent of the Recreation Department.

(5) Each permitted group will be responsible for securing Van Fleet Park when finished with their activity.

E. Ice Skate Park in the Palisades Interstate Park.

(1) The Ice Skate Park in the Palisades Interstate Park shall be opened seven days a week from 10:00 a.m. until 10:00 p.m. during skating season.

(2) No persons, groups or organizations may use the Ice Skate Park for any fund-raising or profit-making activities (such as private instruction or group instruction) without express permission by the Superintendent of the Recreation Department.

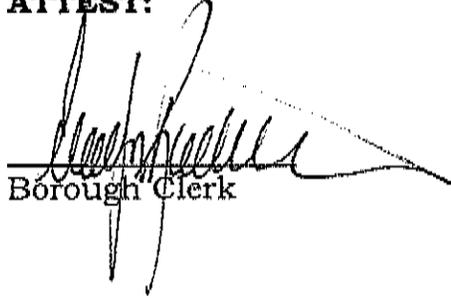
(3) The Ice Skate Park is an attend and/or skate-at-your-own-risk facility, and will not be supervised; however, the Borough retains the right to maintain unscheduled surveillance of the facility, in person or by electronic means at its sole discretion.

- (4) Skaters age eight and under must be accompanied by a parent/guardian.
- (5) Safety equipment is strongly encouraged within the confines of the Ice Skate Park: helmets and gloves.
- (6) Participants must provide their own equipment.
- (7) The Ice Skate Park may be closed without notice at the discretion of the Borough due to inclement weather or other circumstances.
- (8) No outside objects, except skating sports equipment, are allowed within the immediate area around the rink/park or in the confines of the skating ice, including bags, knapsacks, etc.
- (9) All participants must skate in such a manner as to avoid collision with other skaters; unsafe or aggressive ice play/skating, fighting and other aggressive or disruptive behavior will result in ejection from the Ice Skate Park.
- (10) Littering, glass containers, alcoholic or other beverages, food, gum, pets and smoking are strictly prohibited within the Ice Skate Park.
- (11) Boom boxes, DVD players, television, radios and personal music devices (iPod, MP3 players, personal CD players, headphones and earphones) are prohibited. Cellular phones may not be operated while user is skating within the confines of the Ice Skate Park.
- (12) No organized events or contests of any kind are allowed in the Ice Skate Park unless organized and administered by the Borough.
- (13) Use of the Ice Skate Park is a privilege, not a right. The Borough expects that all users and spectators will be respectful of others and those in the surrounding area. Profanity, obscene gestures, rowdiness, fighting and intentional damage to the facility will not be tolerated. If an individual skater and/or group of skaters are identified as having not adhered to these rules, that person(s) will be ejected by the Police Department, the Superintendent of the Recreation Department, Superintendent of the Department of Public Works, or any of their agents, will be subject to the loss of privileges to the facility and will be subject to penalties/punishment as determined by law.

Section 6. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

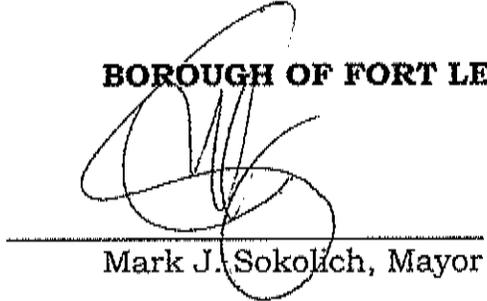
Section 7. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:



Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Cervieri</u>	Date of Introduction <u>February 12, 2015</u>
Seconded <u>Councilman Sohmer</u>	Public Hearing <u>March 12, 2015</u>
	Date of Adoption <u>March 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-8

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 328 RESTAURANTS, ARTICLE I OUTDOOR CAFES, OF THE CODE OF THE BOROUGH OF FORT LEE.

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, State statutes prohibiting municipalities from passing strict local smoking laws that differed from the State standards have been repealed and the State now expressly authorizes municipalities to enact strict ordinances regulating smoking under N.J.S.A. 40:48-2 and N.J.S.A. 26:3D-63; and

WHEREAS, the New Jersey Smoke-Free Air Act (N.J.S.A. 26:3D-55 et seq.) (“NJSFAA”) authorizes local restrictions on smoking “equivalent to, or greater than those provided in the [NJSFAA]” for “purposes of protecting the public health;” and

WHEREAS, consistent with the existing ordinances of the Borough of Fort Lee prohibiting smoking in public places, the Mayor and Council of the Borough of Fort Lee believe it is in the best interests of the Borough of Fort Lee and its citizens to protect the public health, safety and welfare by prohibiting smoking in outdoor restaurants;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 328, Restaurants, Article I Outdoor Cafes, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That Borough Ordinance §328, Article I Outdoor Cafes, shall be hereby amended to add the following:

§328-26. Prohibition of smoking; signs; enforcement.

A. Smoking shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

B. Smoking shall be prohibited in all outdoor restaurants and cafes as defined herein. No-smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted at such outdoor restaurants and cafes. The signs shall be clearly visible to the public and shall contain letters or a symbol that contrast in color with the sign, indicating that smoking is prohibited therein. The sign shall also indicate that violators are subject to a fine.

C. Enforcement of this chapter shall be within the authority of the Police Department, Fire Department, and Health Department of the Borough of Fort Lee.

D. Any person who violates any provision of this chapter shall be subject to a fine of not less than \$250.00 for the first offense, \$500.00 for the second offense and \$1,000.00 for each subsequent offense.

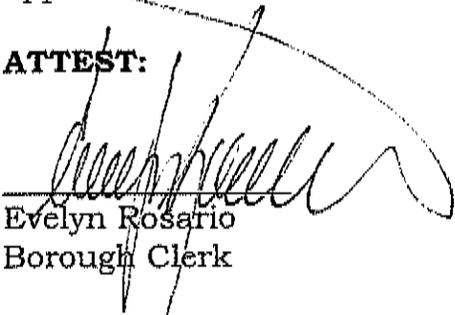
Section 2. If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect following adoption and

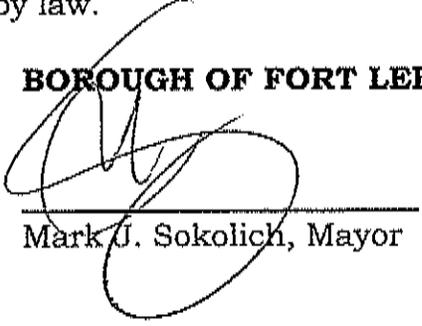
approval in a time and manner provided by law.

ATTEST:



Evelyn Rosario
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

APPROVED AS TO FORM:

J. Sheldon Cohen, Esq.
Borough Attorney

Introduced <u>Councilman Armand Pohan</u>	Date of Introduction <u>March 12, 2015</u>
Seconded <u>Councilman Joseph Cervieri</u>	Public Hearing <u>April 9, 2015</u>
	Date of Adoption <u>April 9, 2015</u>

On Introduction – March 12, 2015

All "Ayes" on a Roll Call:
 Councilman Armand Pohan
 Councilman Harvey Sohmer
 Councilman Peter Suh
 Councilman Michael Sargenti
 Councilwoman Ila Kasofsky
 Councilman Joseph Cervieri

On Adoption – April 9, 2015

Roll Call:
 Councilman Armand Pohan – "AYE"
 Councilman Harvey Sohmer- ABSENT
 Councilman Peter Suh - "AYE"
 Councilman Michael Sargenti- "AYE"
 Councilwoman Ila Kasofsky- "AYE"
 Councilman Joseph Cervieri- "AYE"

BOROUGH OF FORT LEE

ORDINANCE # 2015-9

**CALENDAR YEAR 2015
 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
 AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year=s final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Borough Council of the Borough of Fort Lee in the County of Bergen finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year=s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$1,092,915.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

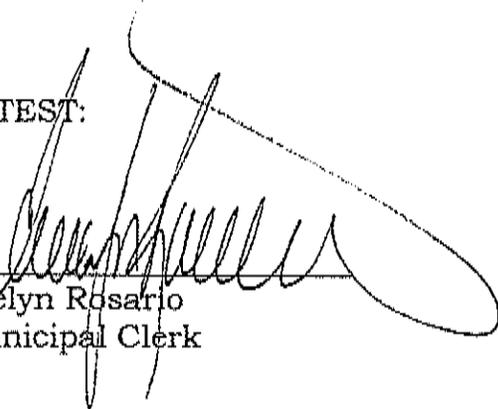
NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Fort Lee shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$1,912,602.23, and that the CY 2015 municipal budget for the Borough of Fort Lee be approved and adopted in accordance with this ordinance; and,

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

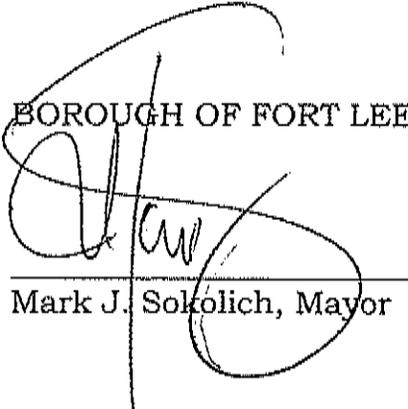
BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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

ATTEST:


Evelyn Rosario
Municipal Clerk

BOROUGH OF FORT LEE


Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cerbasi</u>	Date of Introduction <u>April 9, 2015</u>
Seconded <u>Councilman Donald Pohan</u>	Public Hearing <u>May 14, 2015</u>
	Date of Adoption <u>May 14, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-10

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, SECTION 68, SCHEDULE XXII: PARKING PROHIBITED WHEN ROAD IS SNOW COVERED, OF THE REVISED GENERAL ORDINANCES 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, Section 68, Schedule XXII: Parking Prohibited When Road Is Snow Covered, of the Code of the Borough of Fort Lee, is hereby amended as follows:

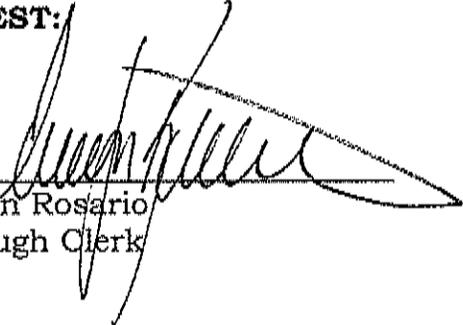
Section 1. The current text of Borough Ordinance 388-68 Schedule XXII: Parking Prohibited When Road Is Snow Covered, shall hereby be amended to include the following street:

Name of Street	Side Location
Brinkerhoff Avenue	Both (Route 5 Glen Road) to Harvard Place

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

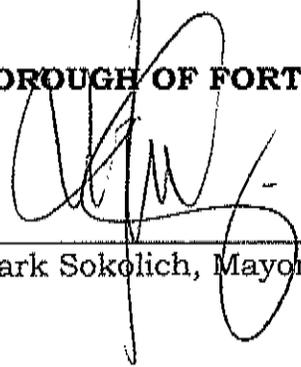
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:



Evelyn Rosario
Borough Clerk

BOROUGH OF FORT LEE



Mark Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>April 9, 2015</u>
Seconded <u>Councilman Michael Sacaputi</u>	Public Hearing <u>May 14, 2015</u>
	Date of Adoption <u>May 14, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE #2015-11

AN ORDINANCE REPEALING AND REPLACING CHAPTER 289 PARKING, ARTICLE IV PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT PARKING, SECTION 36 RESIDENTIAL PERMIT PARKING, OF THE REVISED GENERAL ORDINANCES 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 IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 36 Residential Permit Parking, of the Code of the Borough of Fort Lee, is hereby repealed and replaced as follows:

Section 1. That the current text of Borough Ordinance §289-36 Residential Permit Parking., shall hereby be amended to read as follows:

§289-36 Residential Permit Parking.

A. Purpose of section. The Borough of Fort Lee has designated the entire Borough of Fort Lee as a residential parking area in which resident vehicles registered pursuant to the ordinance may stand or be parked without limitation by parking time restrictions established by this article. Vehicles not registered may stand or be parked for a limited time, only in locations where authorized, not to exceed a two-hour limit specified and adequately posted by signs. Separate rules may apply in different zones, as posted.

B. Hours of operation: Residential parking shall be in effect between the hours of 9:00 a.m. to 5:00 p.m., weekdays, excluding holidays, on all designated residential parking streets, within the Borough of Fort Lee, except as provided further in this ordinance.

(1) The creation of a residential parking area shall have no effect upon metered parking spaces, within the designated area. Parking metered spaces shall be available to all vehicles, with or without a residential parking registration.

(2) A residential parking registration shall not exempt a resident when parked in a metered space from purchasing the time from the meter, at the established rate.

(3) The Parking Authority of the Borough of Fort Lee may, in its sole discretion, promulgate rules and regulations relating to metered parking spaces.

C. Issuance of residential parking registrations. The entire Borough has been designated into two Residential Parking Zones, Residential Zone A and Residential Zone B, which zones are further identified in this ordinance. The Parking Authority shall cause parking signs to be erected, indicating the times and conditions under which parking shall be allowed. Upon proof of residency, a vehicle may be registered with the Parking Authority for residential parking. The Parking Authority shall establish reasonable criteria for proof of residence.

D. Visitors.

(1) Residents may register up to two vehicles, belonging to visitors, per household, without additional cost.

(2) In addition to the two visitor registrations provided, a resident may register additional visitor vehicles at a cost of \$.50 per vehicle, per day. Each of these visitor registrations will be valid from 9:00 a.m. to 5:00 p.m. on the day it is used.

(3) Visitors are restricted to a one-block radius of the resident they are visiting. Visitor parking is strictly enforced.

E. Establishing residency. The resident must prove residency and vehicle ownership or evidence of having a leased or company-owned vehicle. The Borough or Parking Authority shall establish criteria for each vehicle and each application shall be accompanied with sufficient proof as may be reasonably required. Residents residing in the Residential Zone A may only be eligible for a permit if there is no off street parking available. See Map.

F. Residential parking does not exempt a vehicle from enforcement of State and Borough laws.

(1) A registered resident vehicle shall be permitted to stand or be parked in the residential parking area for up to 48 hours. All other motor vehicles not registered pursuant to the Residential Parking Program shall be the subject of a two-hour time limit restriction, per twenty-four-hour period. However, all vehicles are still subject to parking restrictions or prohibitions established pursuant to Title 39 of the N.J. State Statute or Borough Ordinance for Street Sweeping, or ordinance provisions pertaining to public safety and handicapped parking zones and other special parking restrictions.

(2) A vehicle registered pursuant to the Residential Parking Program shall not guarantee or reserve to the holder thereof an on-street parking space.

G. Penalties.

(1) Anyone found guilty in the Borough Municipal Court of parking in a residential zone over the two-hour limit, without being registered for the appropriate zone, will receive a summons with a fine of \$38. If an unauthorized vehicle is left for a continuous twenty-four-hour period in any resident parking zone, it may be immobilized in accordance with the Borough's booting ordinance. The cost of removing the vehicle boot shall be paid to the Borough of Fort Lee Parking Authority prior to removal, at the rate for removal established by resolution of the Parking Authority's Board of Commissioners.

(2) If an unauthorized vehicle remains in any resident parking zone for 48 hours it will be towed. The vehicle owner/operator will be responsible for the cost to remove the boot in addition to the cost of the vehicle tow. The fee for the towing of vehicles shall be the rate established by the Borough by resolution or ordinance, and in the absence of such Borough resolution or ordinance, as established by resolution of the Parking Authority's Board of Commissioners.

(3) Any registered resident vehicle found guilty of exceeding the permitted 48 consecutive hours to stand or be parked in the residential parking area, will receive a summons with a fine of \$40.

(4) If an authorized vehicle remains standing or parked, without moving, in the registered resident parking zone, for 7 consecutive days, it will be towed. The vehicle owner/operator will be responsible for the cost of the vehicle tow. The fee for the towing of vehicles shall be the rate established by the Borough by resolution or ordinance, and in the absence of such Borough resolution or ordinance, as established by resolution of the Parking Authority's Board of Commissioners.

H. Nonresident contractor and commercial vehicles: The governing body or Parking Authority is aware that emergency services for the Borough and its residents regularly require service vehicles and commercial vehicles to park in designated residential areas in order to properly service Fort Lee. The Parking Authority is hereby authorized to exempt such vehicles which temporarily park within designated areas for emergency purposes only without being registered for a period not to exceed eight consecutive hours.

(1) Commercial merchants and contractors who are working in a residential parking zone on a project that requires the contractor or merchant to be in a RPP zone must secure a business permit from the Parking Authority in order to park their vehicle within the RPP zone legally at a cost of \$3.75 per day per vehicle. The Parking Authority shall establish reasonable criteria for proof of the need for a business permit.

I. Counterfeiting; penalty. It shall be unlawful and a violation of this article for an applicant to provide false or counterfeit documentation for the purpose of obtaining registration for residential parking privileges. The person committing the aforementioned act shall be subject to a penalty not to exceed \$300 and/or imprisonment for not more than 10 days for each such violation, such penalties to be imposed by the Municipal Court.

J. Enforcement. The provisions of this article shall be enforced by the Parking Authority of the Borough of Fort Lee.

K. Designation of Residential Parking Zones

All streets in the Borough are hereby designated as "resident parking only" streets, in accordance with the terms and provisions of this § 289-36. The residential parking in the Borough is comprised of two separately permitted zones: Residential Parking Zone A and Residential Parking Zone B.

(1) Residential Parking Zone A. There is hereby established a Residential Parking Zone A. The zone shall consist of that area set forth on the attached map and includes the following streets:

Main Street

From Hoefleys Lane to Bigler Street

West Extension of Edwin Avenue

From Summit Avenue to Kelby Street

Fletcher Avenue

From Main Street to Kelby Street

Lewis Street

From Fletcher Avenue to Linwood Avenue

Linwood Avenue

From Main Street to Bridge Plaza North

Bridge Plaza North

From North Central Road to Linwood Avenue

Center Avenue

From Whiteman Street to Bridge Plaza South/Bruce Reynolds

Boulevard/Marginal Road South

Bridge Plaza South/Bruce Reynolds Boulevard/Marginal Road South

From Linwood Avenue to Hudson Terrace

Lemoine Avenue

From Tom Hunter Road to Lincoln Avenue

Schlosser Street

From Hoym Street to Main Street

Palisades Avenue

From Tom Hunter Road to Main Street

Martha Washington Way/Park Avenue

From Main Street to Bride Plaza South/Bruce Reynolds Boulevard/Marginal Road South

Angioletti Place

From Palisades Avenue to Parker Avenue

Parker Avenue

From Angioletti Place to Main Street

Bigler Street

From Main Street to Central Avenue

Central Avenue

From Hudson Terrace to Central Road

Central Road

From Main Street to Bridge Plaza South/Bruce Reynolds Boulevard/Marginal Road South

a. Overnight on-street parking within Residential Parking Zone A, from 2:00 a.m. to 6:00 a.m. is prohibited. Residents of Residential Parking Zone A, that have registered their vehicle pursuant to the Residential Parking Program Ordinance, prior to the creation of the Residential Parking Zone A, are hereby grandfathered in and may park within the Residential Parking Zone A, only on the street they reside within the Residential Parking Zone A .

b. Residents residing in the Residential Parking Zone A must establish they have no off-street parking available before being eligible to register for residential parking.

(2) Residential Parking Zone B. All other Borough streets not identified as part of Residential Parking Zone A are included in Residential Parking Zone B.

L. Application and implementation of Residential Parking Program.

(1) Streets under the jurisdiction of the State of New Jersey named herein are named for purposes of boundary descriptions only and the "resident parking only" designation shall not apply to such streets.

(2) "Resident parking only" shall not apply to any parking space where there is a parking meter.

M. Types of Registration.

(1) Bi-annual Resident Registration: vehicles registered by residents for their own use shall be valid for a period of two years from the date of issuance.

(2) Bi-annual Visitor Registration: Visitor Registration issued to the household of any registered resident which shall be valid for a two year period, which are designed to be used when a nonresident visits the resident's home.

(3) Additional Visitor Registration: A daily registration available for purchase by residents for additional visitors visiting the home of the resident.

(4) Business Registration: Registration available for purchase for nonresident employers and their employees for daily parking.

N. Fines for violation and penalties for providing fraudulent /counterfeit documentation. If any such Registration as defined in Subsection **O** is used for any other vehicle or is used for a parking use other than that which it was specifically issued, or registration is obtained through the submission of fraudulent or counterfeit documentation a fine shall be levied and the registration revoked in accordance with the following terms:

Type of Registration	Maximum Fine	Revocation Period
Bi-annual Resident registration	\$300	One year
Bi-annual Visitor registration	\$300	One year
Special registration	\$300	One year
Additional Visitor registration	\$300	One year
Business registration	\$300	One year
Business sticker (owner)	\$300	One year

O. Invalid zone for visitor: failure to park in Residential Parking Zone for which visitor registration was issued.

P. (Reserved)²

Q. Fees.

(1) The administrative fee for the issuance of a residential parking registration shall be \$5 per vehicle. The fee shall be due and payable to the Borough of Fort Lee Parking Authority.

(2) A residential parking registration shall remain effective for a period of two years from the date of issuance.

R. Parking on Saturdays, Sundays and holidays.

(1) The following streets are restricted to parking for registered residents and their permitted visitors only on Saturdays, Sundays and holidays:

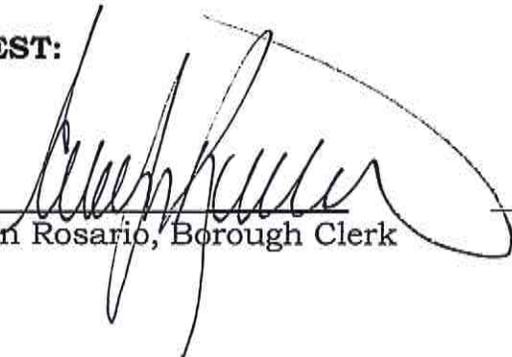
- a. Hudson Terrace for its entire length.
- b. Myrtle Avenue.
- c. Washington Avenue.
- d. Wall Street.
- e. Prospect Street.
- f. 5th Street.
- g. 6th Street.
- h. 7th Street.
- i. 8th Street.
- j. Merkel Street.
- k. Sylvan Avenue.
- l. North Central Road.
- m. Hudson Street.
- n. Bigler Street.
- o. Central Road.
- p. Central Avenue.

(2) All of the above streets and roads, and sections thereof (other than Hudson Terrace, which is designated as resident parking only for its entire length) shall be designated as resident parking only east of Lemoine Avenue and north of Main Street.

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

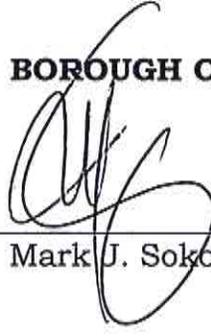
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:



Evelyn Rosario, Borough Clerk

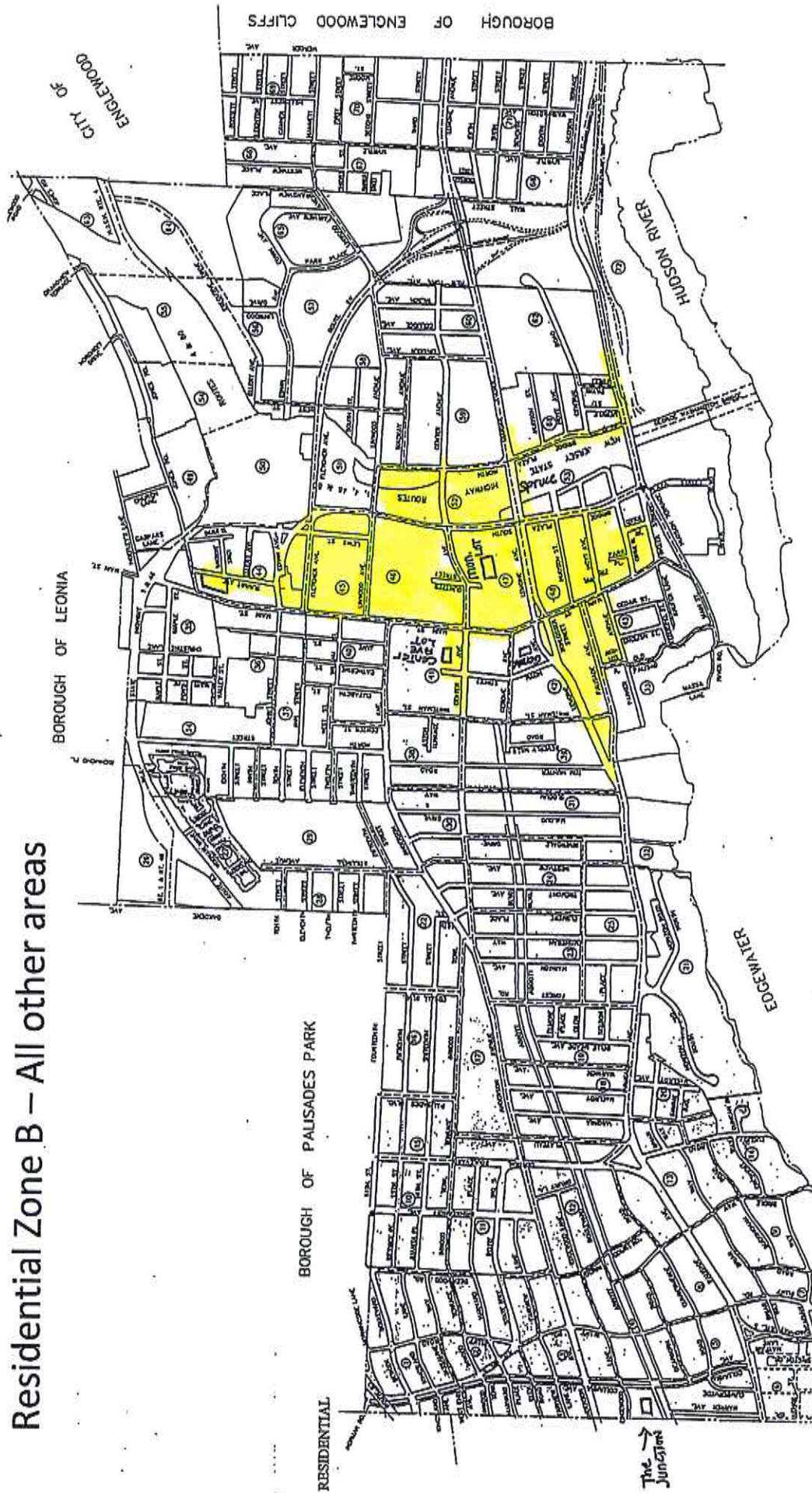
BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Residential Zone A – Yellow or shaded area

Residential Zone B – All other areas



Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>May 14, 2015</u>
Seconded <u>Councilman Harvey Schmer</u>	Public Hearing <u>June 11, 2015</u>
	Date of Adoption <u>June 11, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-12

AN ORDINANCE ESTABLISHING CHAPTER 313 "MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES DURING FORECLOSURE", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY TO PROVIDE FOR THE MAINTENANCE OF VACANT RESIDENTIAL PROPERTIES DURING FORECLOSURE PURSUANT TO THE AUTHORITY OF P.L. 2014, CHAPTER 35

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that the Code of the Borough of Fort Lee is hereby supplemented and amended to establish and adopt the municipal powers authorized by the Public Laws of 2014, Chapter 35, N.J.S.A. 40:48-2.12, and related statutory provisions, as follows:

§313-1. NOTICE OF FORECLOSURE ACTION.

- A. A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property within the Borough shall, within ten (10) days of serving the summons and complaint, notify the Borough Clerk that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property and provide the name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations pursuant to paragraph one of N.J.S.A. 46:10B-51.
- B. An out-of-State creditor that serves a summons and complaint in an action to foreclose on a residential property within the Borough must include the full name and contact information of an in-State representative or agent who shall be responsible for the care maintenance, security and upkeep of the exterior of the property if it becomes vacant and abandoned pursuant to paragraph one of N.J.S.A. 46:10B-51.

- C. In the event a property being foreclosed on is an affordable unit pursuant to the "Fair Housing Act," (N.J.S.A. 52:27D-301 et seq.), the creditor shall provide notice to the Borough Clerk within ten (10) days of service of a summons and complaint in an action to foreclose on the mortgage advising the property is subject to the "Fair Housing Act", include the street address, lot and block number of the property, and the full name and contact information of an individual located within the State who is authorized to accept service on behalf of the creditor pursuant to paragraph one of N.J.S.A. 46:10B-51.

§313-2. CREDITOR RESPONSIBILITY.

Pursuant to the provisions of the Public Laws of 2014, Chapter 35, a creditor filing a summons and complaint to foreclose a lien on an residential property that is vacant and abandoned, whether the filing of the summons and complaint is made prior to or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the residential property. This obligation applies whether the determination that the property is vacant and abandoned is made by the Public Officer, as defined in Chapter 311, pursuant to the provisions of this Chapter, Chapter 311 of this Code, pursuant to the provisions of N.J.S.A. 2A:50-73, or otherwise.

§313-3. NOTICE TO CREDITOR; TIME TO CORRECT VIOLATIONS.

If the Public Officer, or other authorized Borough official, determines that a creditor obligated to care, maintain, secure and keep up a vacant and abandoned property has failed to do so in violation of the provisions of this Chapter or Chapter 311 of this Code, the Public Officer or other authorized Borough official shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation within thirty (30) days of receipt of the notice. If the violation presents an imminent threat to public health and safety, then remedial action must be completed within ten (10) days of receipt of notice. The issuance of this notice shall constitute (prima facie) evidence that a property is "vacant and abandoned" for purposes of N.J.S.A. 2A:50-73.

§313-4. FAILURE TO DESIGNATE REPRESENTATIVE OF OUT-OF-STATE CREDITOR; VIOLATION.

An out-of-State creditor found by a court of competent jurisdiction to have violated paragraph one of N.J.S.A. 46:10B-51 shall be subject to a fine of \$2,500.00 for each day of the violation commencing on the day after the ten (10) day period set forth in paragraph one of N.J.S.A. 46:10B-51 and Section

313-1 of this Code with respect to notifying the Borough clerk that an action to foreclose on the property has been filed.

§313-5. VIOLATIONS AND PENALTIES.

- A. Except as set forth in Section 311-4 and herein, any person, firm, corporation or entity violating any provision of this Chapter, Chapter 311, or Chapter 312 of this Code shall, upon conviction, be punishable as provided in Chapter 1, Section 17 of this Code. A creditor required to care, maintain, secure and keep up a property under this Chapter, cited in a notice issued pursuant to Section 313-3, shall be subject to a fine of \$1,500.00 for each day of the violation.
- B. The Borough shall have the same recourse against any creditor as it would against the title owner of the property if the Borough, as a matter of public necessity or safety, unilaterally decides to expend public funds in order to abate a nuisance or correct a violation on a property in situations in which the creditor was given notice, but failed to abate the nuisance or correct the violation pursuant to N.J.S.A. 46:10B-51 or pursuant to any other statutory or common law authority.

§313-6. ADDITIONAL NOTICE REQUIRED.

Notice of violations of property maintenance, building or other property codes for any property declared vacant and abandoned pursuant to this Chapter shall be given to a foreclosing creditor pursuant to the procedures of Section 313-3 of this Code as required by P.L. 2014, c. 35.

§313-7. STATUTORY CONSISTENCY.

All sections hereof arising from or citing a specific statutory reference shall be deemed as automatically adopting any amendment to such statute(s) as may be consistent with the Borough's purposes in enacting this ordinance.

§313-8. SEVERABILITY AND REPEALER.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated. All prior ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

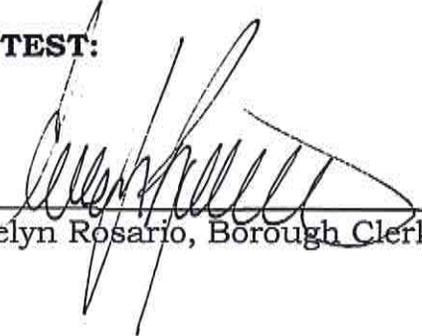
§313-9. EFFECTIVED DATE.

This ordinance shall take effect following adoption and publication in accordance with the laws of the State of New Jersey.

§313-10. NO WAIVER OF OTHER OR ADDITIONAL REMEDIAL RIGHTS.

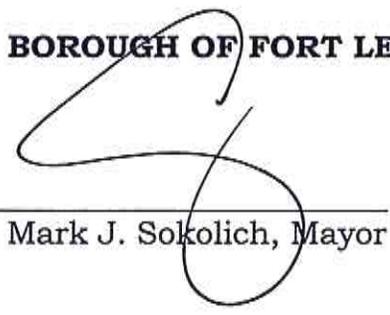
Nothing contained in this ordinance shall be interpreted to waive, limit or interfere with any other or additional rights the Borough or private individual may have or acquire, with regard to the condemnation, remediation, injunctive relief, damages and fees, from other regulations, statutes, common law or ordinances concerning remedial or enforcement actions against properties (their owners, occupiers and interest holders) which are abandoned, vacant, a public nuisance or constitute some threat or impediment to the public's interest, health or safety.

ATTEST:



Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>Councilman Joseph Cervici</u>	Date of Introduction	<u>May 14, 2015</u>
Seconded	<u>Councilman Harvey Schmier</u>	Public Hearing	<u>June 11, 2015</u>
		Date of Adoption	<u>June 11, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-13

CAPITAL ORDINANCE PROVIDING FOR VARIOUS EQUIPMENT AND IMPROVEMENTS IN AND FOR THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$1,413,655.00, THEREFORE FROM THE CAPITAL FUND SURPLUS TO PAY FOR THE COSTS THEREOF

WHEREAS, the Borough of Fort Lee, in the County of Bergen, State of New Jersey (the "Borough"), wishes to undertake various capital improvements and other related expenses; and

WHEREAS, the cost of said improvements is estimated to be \$1,413,655.00; and

WHEREAS, the Borough desires to authorize the appropriation and expenditure of \$1,413,655.00 from the Capital Fund Surplus in the same amount, to undertake said improvements and purchases

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. The Capital Improvement or purpose described below is hereby authorized as a general capital improvement to be undertaken by the Borough. There is hereby appropriated the amount of \$1,413,655.00 for said improvements or purposes. Those improvements or purposes are including but not limited to the following:

A) AMBULANCE CORP

Purpose: Purchase of equipment and items for the Ambulance Corp including but not limited to turn out coats

Appropriation: \$5,000.00

Purpose: Purchase and installation of new windows for the Ambulance Corps building

Appropriation: \$20,000.00

B) SENIOR CITIZEN CENTER

Purpose: Installation of common area flooring on the first floor of the Senior Citizens Center

Appropriation: \$15,000.00

C) RECREATION DEPARTMENT

Purpose: Purchase of tables and chairs including all materials necessary therefor or incidental thereto.

Appropriation: \$7,181.00

D) CULTURAL AFFAIRS/FILM COMMISSION

Purpose: Engineering pre-development costs for Theater

Appropriation: \$224,000.00

Purpose: purchase and installation of Thomas Paine Statue and eleven (11) historic sign markers.

Appropriation: \$67,000.00

E) FIRE DEPARTMENT

Purpose: Purchase of fifteen (15) sets of turn-out gear and related equipment; twenty-five (25) automated external defibrillators.

Appropriation: \$112,500.00

Purpose: Building addition (1); renovations and improvements to (4) Firehouses.

Appropriation: \$215,000.00

F) FIRE PREVENTION DEPARTMENT

Purpose: Purchase of nine (9) external defibrillators; one (1) thermal imaging camera; nine (9) Apple i-Pads with accessories; and one (1) fire prevention education equipment, being, "Freddie the Fire Truck".

Appropriation: \$47,500.00

G) OFFICE OF INFORMATION TECHNOLOGY

Purpose: Acquisition of various equipment and upgrades for information technology, including but not limited to, computer room equipment, electronic sign boards, stage equipment and voice over IT upgrades, and including all work and materials necessary therefor or incidental thereto.

Appropriation: \$74,000.00

H) POLICE DEPARTMENT

Purpose: Purchase, upgrade and installation of computer network system firewalls and switches, in-house camera system, borough wide fiber optic systems for traffic camera system and implementation of advanced authentication of FBI/CJIS system guidelines, including all work and materials necessary therefor or incidental thereto.

Appropriation: \$270,000.00

Purpose: Repairs and renovation to corridor walls in the Police Department

Appropriation: \$13,000.00

I) ADMINISTRATION and FINANCE

Purpose: Renovations and improvements to public buildings and parks, including but not limited to purchase and installation of communications, electronic and computer equipment, necessary therefor or incidental thereto said improvements.

Appropriation: \$120,000.00

J) GENERAL SERVICES DEPARTMENT

Purpose: Various improvements for the General Services Department, including but not limited to improvements to Skate Park and roof at Bank Building.

Appropriation: \$59,500.00

K) HEALTH DEPARTMENT

Purpose: Acquisition of One (1) four wheel drive vehicle for the Health Department

Appropriation: \$26,000.00

L) ROAD IMPROVEMENT-DEPARTMENT OF PUBLIC WORKS

Purpose: Reconstruction of various roads, a complete description which is on file in the Borough Clerk's Office, including all work and materials necessary therefore and incidental thereto.

Appropriation: \$137,974.00

SECTION 2. The sum of \$1,413,655.00 is hereby provided from Capital Fund Surplus and appropriated for the purposes in Section 1 of this Ordinance.

SECTION 3. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvement shall be made as a general improvement, no part of which shall be assessed against a property specifically benefitted.

SECTION 4. No Supplemental Debt Statement is required, since this ordinance does not authorize the issuance of any debt.

SECTION 5. The Capital Budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as

approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Borough Clerk and is available for public inspection.

SECTION 6. This Ordinance shall take effect immediately upon its final passage and publication according to law.

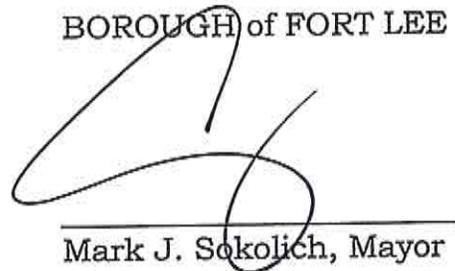
SECTION 7. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary.

ATTEST:



Evelyn Rosario, Municipal Clerk

BOROUGH of FORT LEE



Mark J. Sokolich, Mayor

Introduced	Councilman Joseph Cervieri	Date of Introduction	May 21, 2015(Executive Session)
Seconded	Councilman Armand Pohan	Public Hearing	June 11, 2015(Re-Scheduled to August 13, 2015-Executive Session)
		Date of Adoption	August 13, 2015 (Executive Session)

BOROUGH OF FORT LEE

ORDINANCE # 2015-14

AN ORDINANCE OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY APPROVING AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. AND/OR N.J.S.A. 55:14K-1 ET SEQ. TO EXECUTE AN AMENDMENT, ASSIGNMENT AND ASSUMPTION OF THE FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF FORT LEE AND ASSAD Y. DAIBES MEMORIAL URBAN RENEWAL FOUNDATION FOR SPECIAL NEEDS, INC. FOR PROPERTY LOCATED ON MAIN STREET, FORT LEE ALSO KNOWN AS A PORTION OF LOT 13 AND LOTS 17, 18 & 19 IN BLOCK 4355 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE FOR A MIXED INCOME RESIDENTIAL PROJECT

WHEREAS, the Assad Y. Daibes Memorial Urban Renewal Foundation For Special Needs, Inc. is the owner of certain real property (the "Property") designated as 69 Main Street, Fort Lee, New Jersey, more commonly known as Block 4355, Lots 17, 18, 19 and part of 13, respectively, on the Borough's Tax Map; and

WHEREAS, the Property is located within the boundaries of Redevelopment Area #7 (the "Redevelopment Area") as designated by the Borough Council on January 17, 2013; and

WHEREAS, the Borough and the Assad Y. Daibes Memorial Foundation for Special Needs, Inc. (hereinafter referred to as the "Assignor") entered into an Amended and Restated Development Agreement, dated November 2, 2011, which changed the terms of an initial Development Agreement dated November 19, 2009 and a First Amendment dated to the Amended and Restated Development

Agreement dated April 12, 2013 (collectively the "Development Agreement"); and

WHEREAS, Assignor intends to transfer fee title to the Property to [69 Main Street Fort Lee Urban Renewal Associates LLC] (hereinafter referred to as the "Assignee"); and

WHEREAS, Assignor is separately seeking approval from the Borough of the transfer of all of Assignor's rights, title and interest in and to the Development Agreement to Assignee, pursuant to a Second Amendment, Assignment and Assumption of Amended and Restated Development Agreement (hereinafter referred to as the "Second Amendment"); and

WHEREAS, on July 18, 2013, pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. and the New Jersey Housing Mortgage Finance Agency Law, N.J.S.A. 55:14K-1 et seq., the Borough entered into a financial agreement with Assad Y. Daibes Memorial Urban Renewal Foundation For Special Needs, Inc. (the "Financial Agreement") for payment of an annual service charge for municipal services in lieu of taxes for a mixed income residential project; and

WHEREAS, Assignor seeks to transfer all of the Assignor's rights, title and interest in and to the Financial Agreement to the Assignee; and

WHEREAS, the Second Amendment contemplates that the scope of the project to be undertaken on the Property will remain such that sixty-three (63) of the total units (i.e. 140) shall be market rate units and seventy-seven (77) units will be affordable housing units, including special needs units as further set forth in the Second Amendment (collectively, the "Project"); and

WHEREAS, the Second Amendment contemplates the assignment of the Financial Agreement to Assignee to support the financing for the Project pursuant to the applicable statutes; and

WHEREAS, the determination of the annual service charges for the Project shall remain as follows:

For the seventy seven (77) units of affordable housing, a term of thirty (30) years or the length of a mortgage for the Project from NJHMFA, whichever is longer, at 6.28% of annual gross revenues from the affordable housing units; and

For the sixty-three (63) units of market rate housing, a term of thirty (30) years at 10% of annual gross revenues from the market rate housing; and

WHEREAS, Assignor and Assignee request that the Borough approve and authorize the Mayor and Borough Clerk to execute an Amendment, Assignment and Assumption of the Financial Agreement for payment of an annual service charge for municipal services in lieu of taxes for the Project; and

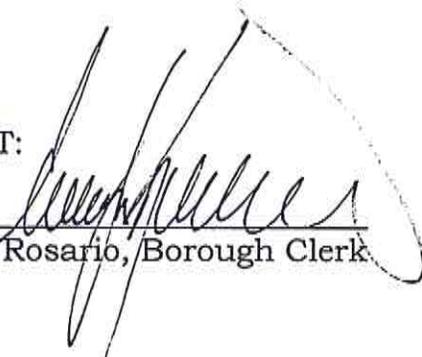
WHEREAS, the affordable housing units shall remain a low and moderate income housing project during the term of the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, Bergen County, New Jersey that the Borough hereby authorizes the transfer of the Property and all of Assignor's rights, title and interest in and to the Financial Agreement to the Assignee.

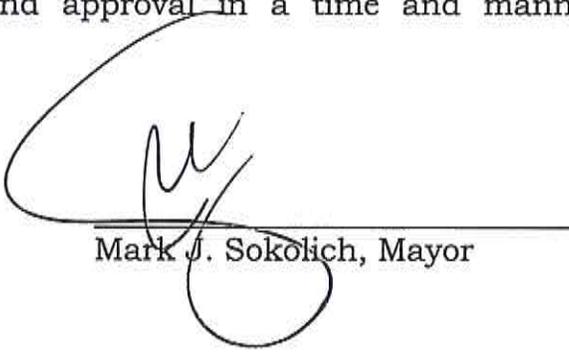
BE IT FURTHER ORDAINED, that the Mayor and Borough Clerk are hereby authorized to execute the Amendment, Assignment and Assumption of Financial Agreement in substantially the form annexed hereto as Exhibit A, subject to final review and approval by the Borough Attorney.

BE IT FURTHER ORDAINED, that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ATTEST:



Evelyn Rosario, Borough Clerk



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervicci</u>	Date of Introduction <u>June 11, 2015</u>
Seconded <u>Councilman Arnold Pohan</u>	<u>July 16, 2015</u>

**Ordinance No. 2015-15
NOT ADOPTED**

Tabled (July 16, 2015 & August 20, 2015)

BOROUGH OF FORT LEE

ORDINANCE # 2015-15

**AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE IV
PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT PARKING,
SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND
PENALTIES, OF THE REVISED GENERAL ORDINANCES 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 IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 15 Parking meter zones established; violations and penalties, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance §289-15 Parking meter zones established; violations and penalties., shall hereby be amended to read as follows:

§289-15B(17)(b) Nine-hour parking meters (LS26-LS33) are hereby authorized to be installed along the south side of Lewis Street, from Linwood Avenue west to Fletcher Avenue.

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.

ATTEST:

BOROUGH OF FORT LEE

Evelyn Rosario, Borough Clerk

Mark J. Sokolich, Mayor

Introduced	<u>Councilman Joseph Cervieri</u>	Executive Session
		Date of Introduction <u>July 9, 2015</u>
Seconded	<u>Councilman Peter Suh</u>	Public Hearing <u>August 20, 2015</u>
		Date of Adoption <u>August 20, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE# 2015-16

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF FORT LEE ADOPTING THE REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 8 PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.

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

SECTION I Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), the Fort Lee Borough Council ("Borough Council"), by a Resolution adopted on March 12, 2015, determined Block 3557, Lots 4, 5, 6, 7 and 8 as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the "Redevelopment Area 8").

SECTION II In furtherance of redeveloping Redevelopment Area 8, the Borough Council directed the firm of Phillips Preiss Grygiel LLC to prepare a Redevelopment Plan for the Redevelopment Area 8, attached hereto and made part of this Ordinance (the "Redevelopment Plan") and which shall be referred to the Fort Lee Planning Board (the "Planning Board") for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

SECTION III Prior to the adoption of the Redevelopment Plan, the Planning Board shall, within 45 days after referral by the Borough Council, transmit to the Borough Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IV Upon receipt of the Planning Board's recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council shall act upon this Ordinance

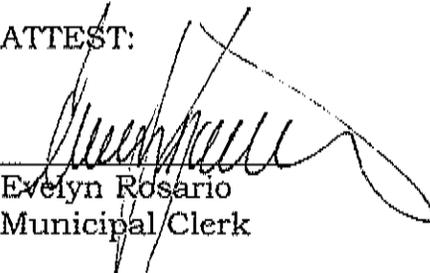
adopting the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION V The Borough Council hereby adopts the Redevelopment Plan for Redevelopment Area 8.

SECTION VI Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.

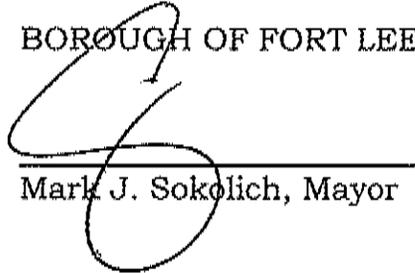
SECTION VII This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

ATTEST:



Evelyn Rosario
Municipal Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>July 16, 2015</u>
Seconded <u>Councilman Armand Pohan</u>	Public Hearing <u>August 20, 2015</u>
	Date of Adoption <u>August 20, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-17

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

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

Section I: Chapter 388, Section 69, Schedule XXIII, is hereby amended and supplemented so as to add the following as handicapped parking spaces:

"388-69": Along the east curb line of Elmore Place beginning at a point 109 south of the apex formed by the south curb line of Forest Avenue and the east curb line of Elmore Place extending another 22 feet south of same point. This spot should be directly in front of 1312 Elmore Place along the east curb line.

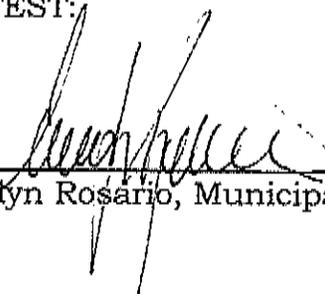
"388-69": Along the West curb line of Edwin Avenue beginning at a point 25 feet south of the apex formed by the south curb line of West Street and the west curb line of Edwin Avenue extending another 20 feet south of same point. This spot should be directly in front of 2161 Edwin Avenue along the east curb line.

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

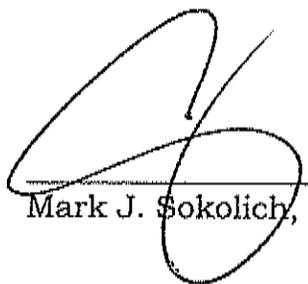
Section III: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

Section IV: This Ordinance shall take effect immediately upon final passage and publications according to law.

ATTEST:



Evelyn Rosario, Municipal Clerk



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>July 16, 2015</u>
Secoded <u>Councilwoman Ila Kasofsky</u>	Public Hearing <u>August 20, 2015</u>
	Date of Adoption <u>August 20, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-18

AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE IV PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATIONS AND PENALTIES, OF THE REVISED GENERAL ORDINANCES 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 IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 15 Parking meter zones established; violations and penalties, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance §289-15 Parking meter zones established; violations and penalties, shall hereby be amended to read as follows:

§289-15B(1) Beginning at the corner of Main Street and Schlosser, East side, in a southerly direction, change meter numbers S143, S141, S140, S139, S138, S137, S136, S135, S134 from a one (1) hour zone to a three (3) hour zone.

Beginning at the intersection of Main Street and Schlosser, east side, moving in a southerly direction 276 feet to install three (3) meters, three (3) hour zone. Then continuing to 364 feet and installing one (1) meter, three (3) hour zone, and ending 386 feet on the corner of Hoym and Schlosser.

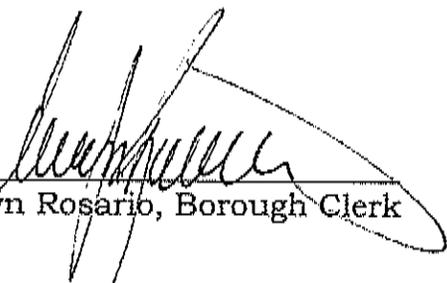
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

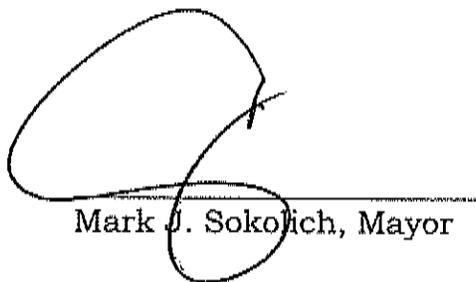
Signature Page
Ordinance No. 2015-18

ATTEST:

BOROUGH OF FORT LEE



Evelyn Rosario, Borough Clerk



Mark J. Sokolich, Mayor

Introduced <u>Councilwoman Ila Kasofsky</u>	Date of Introduction <u>August 20, 2015</u>
Seconded <u>Councilman Harvey Sohmer</u>	Public Hearing <u>September 10, 2015</u>
	Date of Adoption <u>September 10, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-19

AN ORDINANCE OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY AMENDING ORDINANCE #2006-40 VACATING A CERTAIN PORTION OF A STREET KNOWN AS BIGLER STREET WITHIN THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, Bergen County, New Jersey that:

Section 1. On July 20, 2006, the Borough Council adopted Ordinance #2006-40 vacating a portion of Bigler Street for the realignment of traffic patterns in and around the Bigler Street area.

Section 2. The ordinance released and extinguished the rights of the public for the vacated portion of Bigler Street except for the right or privilege of any subsequent owner to build any structure (other than road improvements) or interfere with the present right-of-way of the said portion of Bigler Street to be vacated.

Section 3. On November 10, 2009, the Borough Zoning Board of Adjustment approved the construction of a residential project at 2050 Central Road, commonly known as Twenty50, which project has been constructed and is presently occupied (the "Project").

Section 4. A portion of the Twenty50 residential structure encroaches (184.3 square feet) upon the vacated portion of Bigler Street, which vacated portion is now part of the property owned by Twenty50 Associates, LLC and identified as Block 4854, Lot 1 on the Borough's tax map.

Section 5. The Project was approved by the Zoning Board of Adjustment and issued building permits based on plans that reflected the encroachment.

Section 6. Upon a review of the as-built survey for the Project prepared by Costa Engineering and dated November 11, 2014, a portion of which is attached hereto and made part of this ordinance depicting the encroachment, the Borough Engineer and Borough Attorney have concluded that the encroachment does not impact or affect any current or anticipated Borough utilities or other utilities.

Section 7. In view of the foregoing, it is in the public interest for Twenty50 to clear its title and achieve full (taxable) value of its property by the Borough's instant action to amend the ordinance.

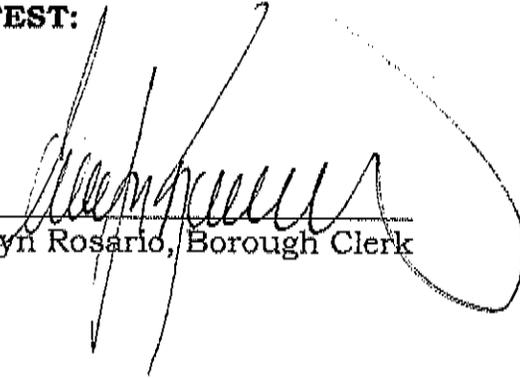
NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, Bergen County, New Jersey that:

Section 1. The encroachment on the vacated portion of Bigler Street, which is now part of Block 4854, Lot 1 and Twenty50 Associates, LLC is hereby acknowledged and approved notwithstanding any exceptions as set forth in Ordinance #2006-40.

Section 2. The exceptions as set forth in Ordinance #2006-40 remain in full force and effect as to the remainder of the vacated portion of Bigler Street not subject to the encroachment described herein.

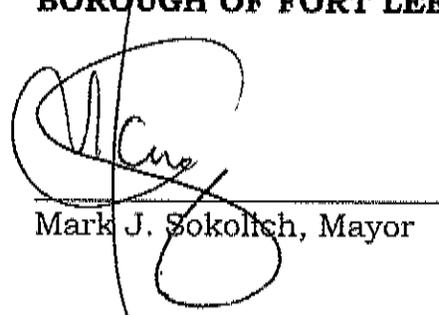
BE IT FURTHER ORDAINED, that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ATTEST:



Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>September 10, 2015</u>
Seconded <u>Councilman Harvey Sohmer</u>	Public Hearing <u>October 8, 2015</u>
	Date of Adoption <u>October 8, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-20

“AN ORDINANCE AMENDING ARTICLE III CHAPTER 261 SECTION 32 OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED “LIST OF PROPERTY OWNERS FURNISHED”

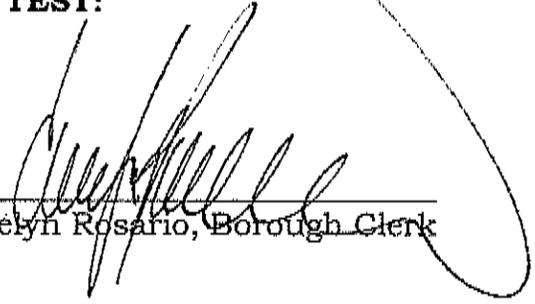
BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 261 Section 32 of the Code of the Borough of Fort Lee, entitled “List of Property Owners Furnished”, is hereby repealed and replaced with the following provision:

§ 261-32 List of Property owners furnished.

- A. List of property owners furnished. Pursuant to the provisions of N.J.S.A. 40:55D-12c, the Tax Assessor, the Zoning Officer, and/or Planning Administrator of the Borough shall, within seven (7) days after receipt of a written request therefor and upon receipt of payment of a fee a sum not to exceed \$0.25 per name, or \$10.00, whichever is greater, may be charged for such list pursuant to N.J.S.A. 40:55D-12(c), make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to § 261-31B of this chapter. The Tax Assessor, Zoning Officer, and/or Planning Administrator shall include on the list the names, addresses and positions of those persons who, not less than seven days prior to the date on which the applicant requested the list, have registered to receive notice pursuant to N.J.S.A. 40:55D-12h.
- B. The applicant shall be entitled to rely upon the information contained in such list and failure to give notice to any owner or to any public utility, cable television company or local utility not on the list shall not invalidate any hearing or proceeding. The Tax Assessor, the Zoning Officer, and/or Planning Administrator shall not be required to furnish the names and addresses of those to whom the applicant must give notice pursuant to N.J.S.A. 40:55D-12(d), (e), (f), or (g).

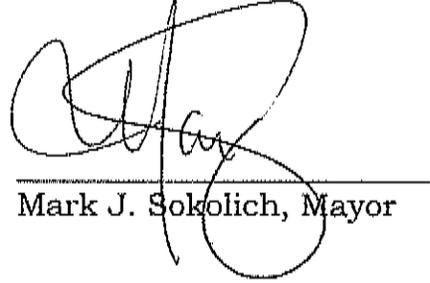
Signature Page – Ordinance No. 2015-20

ATTEST:

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Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read 'Mark J. Sokolich'.

Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>October 8, 2015</u>
Seconded <u>Councilman Armand Pohan</u>	Public Hearing <u>November 12, 2015</u>
	Date of Adoption <u>November 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-21

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF FORT LEE AMENDING THE REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 3 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

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

SECTION I Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), the Fort Lee Borough Council ("Borough Council"), by a Resolution adopted in 2003, determined Block 3656, Lots 6 and 7 and Block 4056, Lots 1 and 14 as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the "Redevelopment Area 6").

SECTION II On December 15, 2005, the Borough Council adopted a Redevelopment Plan for Redevelopment Area 3.

SECTION III At the Borough's direction, an Amended Redevelopment Plan for Redevelopment Area 3 has been prepared by the firm of Phillips Preiss Grygiel LLC, which is attached hereto and made part of this Ordinance (the "Amended Redevelopment Plan") and which has been referred to the Borough Council pursuant to a resolution adopted by the Borough Council.

Section IV By resolution, the Borough Council requested that the Fort Lee Planning Board (the "Planning Board") consider amendments to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e. and transmit to the Borough Council a recommendation concerning the Redevelopment Plan.

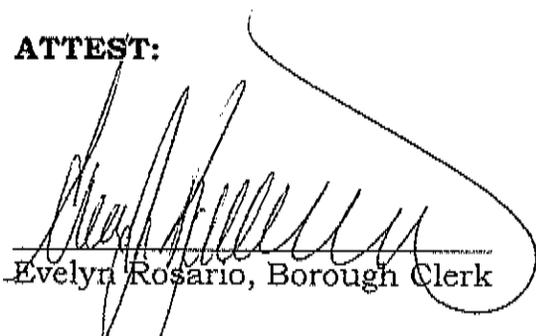
SECTION V On September 29, 2015, the Planning Board voted unanimously to recommend adoption of the Redevelopment Plan to the Borough Council and transmitted such recommendation to the Borough Clerk pursuant to N.J.S.A. 40A:12A-7.f. and no further review of the Borough Planning Board is required.

SECTION VI The Borough Council hereby adopts the Amended Redevelopment Plan for Redevelopment Area 3.

SECTION VII Upon adoption of this Ordinance, the Amended Redevelopment Plan shall include the date of adoption of this Ordinance.

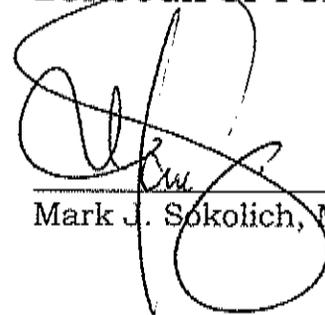
SECTION VIII This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

ATTEST:



Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>October 8, 2015</u>
Seconded <u>Councilman Armand Pohan</u>	Public Hearing <u>November 12, 2015</u>
	Date of Adoption <u>November 12, 2015</u>

BOROUGH OF FORT LEE

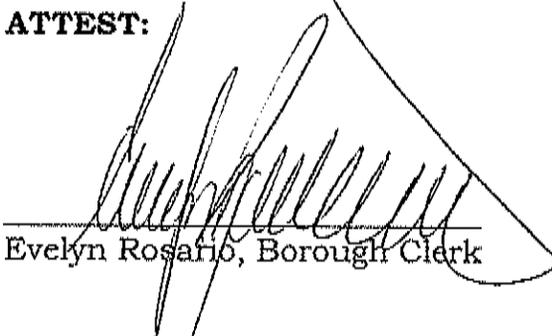
ORDINANCE # 2015-22

“AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AMENDING CHAPTER 289 PARKING, ARTICLE IV PARKING METERS, MUNICIPAL PARKING LOTS, AND PERMIT PARKING, SECTION 15 PARKING METER ZONES; VIOLATIONS AND PENALTIES OF THE CODE OF THE BOROUGH OF FORT LEE”

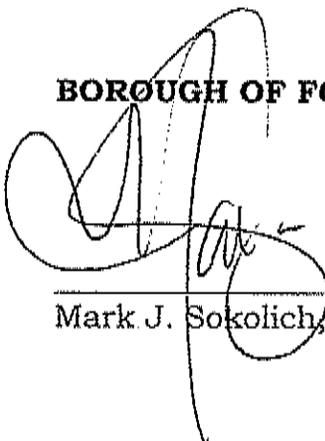
BE IT ORDAINED, by the Borough of Fort Lee, County of Bergen and State of New Jersey, that the Chapter 289 Parking, Article IV Parking Meters, Municipal Parking Lots, and Permit Parking, Section 15-B (24)(b) of the Code of the Borough entitled, “Parking Meter Zones; Violations and Penalties – Bigler Street” is hereby deleted and replaced in its entirety with the following provision:

(b) Three-hour parking meters are hereby authorized to be installed along the west side of Bigler Street, beginning at a point 250 feet north of Main Street and continuing south to Main Street.

ATTEST:


 Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE


 Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>October 8, 2015</u>
Seconded <u>Councilwoman Ila Kasofsky</u>	Public Hearing <u>November 12, 2015</u>
	Date of Adoption <u>November 12, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-23

"BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,247,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,234,650 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF."

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,247,000, including a \$1,000,000 appropriation grant from Bergen County (the "Bergen County Grant") and further including the aggregate sum of \$12,350 as the several down payments for the improvements or purposes required by the Local Bond Law. The

amount of the down payment appropriated is 5% of the costs of the improvements (\$247,000) which are not being funded by the Bergen County Grant. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the Bergen County Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,234,650 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Reconstruction of Lower Main Street (Main Street & Hudson Terrace), including all work and materials necessary therefor and			

incidental thereto.	\$1,000,000 (includes the \$1,000,000 Bergen County Grant)	\$1,000,000	10 years
b) Coytesville Park improvements, including all work and materials necessary therefor and incidental thereto.	\$60,000	\$57,000	15 years
c) Paving of Wilson Avenue, including all work and materials necessary therefor and incidental thereto.	<u>\$187,000</u>	<u>\$177,650</u>	10 years
Total:	<u>\$1,247,000</u>	<u>\$1,234,650</u>	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be

renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no

part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.23 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,234,650, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$222,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in

Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

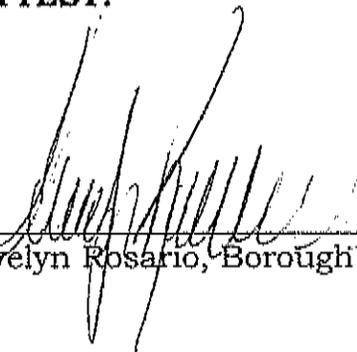
Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the Bergen County Grant, to payment of the obligations issued pursuant to this bond ordinance. The amount of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

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

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

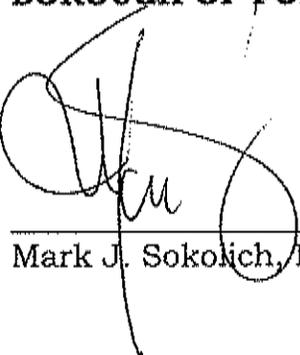
Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:



Evelyn Rosario, Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced <u>Councilman Joseph Cervieri</u>	Date of Introduction <u>November 12, 2015</u>
Seconded <u>Councilwoman Ila Kasofsky</u>	Public Hearing <u>December 17, 2015</u>
	Date of Adoption <u>December 17, 2015</u>

BOROUGH OF FORT LEE

ORDINANCE # 2015-24

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$600,000, and further including the aggregate sum of \$30,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Improvements to buildings and grounds, including all work and materials necessary therefor and incidental thereto	\$500,000	\$475,000	15 years
b) Acquisition of various truck attachments, including but not limited to, plows and salt spreaders, including all related costs and expenditures necessary therefor and incidental thereto	\$100,000	\$95,000	10 years
TOTAL:	\$600,000	\$570,000	

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

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

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

capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.16 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$570,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

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

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

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Improvements to buildings and grounds, including all work and materials necessary therefor and incidental thereto	\$500,000	\$475,000	15 years
b) Acquisition of various truck attachments, including but not limited to, plows and salt spreaders, including all related costs and expenditures necessary therefor and incidental thereto	\$100,000	\$95,000	10 years
TOTAL:	\$600,000	\$570,000	

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

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

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

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(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.16 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the

Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$570,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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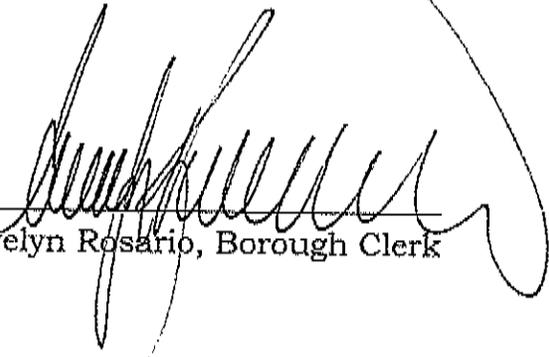
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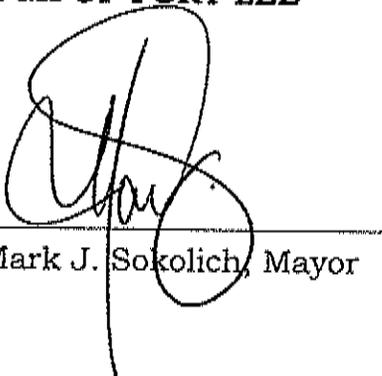
Signature Page – Bond Ordinance No. 2015-24

ATTEST:

BOROUGH OF FORT LEE



Evelyn Rosario, Borough Clerk



Mark J. Sokolich, Mayor