

Introduced	J. Voss	Date of Introduction	January 9, 2003
Seconded	M. SARGENTIS	Public Hearing	January 23, 2003
		Date of Adoption	January 23, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-1

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
360, OF THE CODE OF THE BOROUGH OF FORT LEE,
ENTITLED "STREETScape IMPROVEMENT PROJECT"**

WHEREAS, the Borough of Fort Lee has been improving street curbing and public sidewalks; and

WHEREAS, it has been determined that the application of salt for the purpose of melting snow or ice stains and/or damages the brick pavers which have been newly installed as part of the streetscaping project; and

WHEREAS, various forms of rock salt contain levels of toxicity,

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

Section I. Chapter 360, Section 39, of the Code of the Borough of Fort Lee, entitled "Streets and Sidewalks - Streetscape Improvement Project, "be and the same is hereby amended and supplemented with the following:

A. No person shall attempt to remove ice or snow by application or use of any type of salt on any public sidewalk or parking area upon which the Borough has installed brick pavers as part of the streetscaping project. Rather, persons shall utilize calcium chloride pelletes or other blends of calcium chloride which contain no rock salt or potassium chloride. The Fort Lee Building Department, Police Department, Health Department, Office of Emergency Management and Parking Authority shall act as enforcement agents with respect to this Section, and shall be fully authorized to issue summonses for violation of this Section. Any person found guilty of violating this Section shall be fined the sum of \$250 for the first offense, \$500 for the second offense, and \$1,250 for the third and any subsequent offenses.

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

Section III. In the event of 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 360 are hereby ratified and confirmed, except where inconsistent herewith.

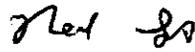
Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:



~~Neil Grant~~
~~Borough Clerk~~

MAYOR JACK ALTER



~~Jack Alter, Mayor~~
NEIL GRANT, BOROUGH CLERK

Introduced	<u>J Voss</u>	Date of Introduction	<u>January 9, 2003</u>
Seconded	<u>M. SARGENTI</u>	Public Hearing	<u>January 23, 2003</u>
		Date of Adoption	<u>January 23, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-2

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "NO PARKING"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. Chapter 388, Section 43, Schedule I, entitled "No Parking," be and the same is hereby amended as follows:

	Name of Street	Side:	Location
d.	Main Street	North	Apex of Center Avenue to Linwood Avenue Westbound

Section II. All other parts, portions and provisions of Chapter 388 of the Code of the Borough of Fort Lee not inconsistent with the terms hereof be and the same are hereby ratified and confirmed. In the event of any inconsistency, the terms and provisions hereof shall govern.

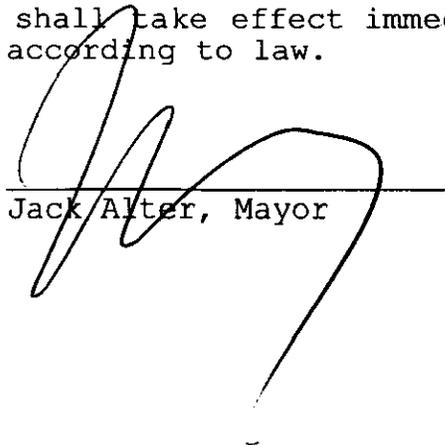
Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	M. VILLANO	Date of Introduction	January 9, 2003
Seconded	J. VOSS	Public Hearing	January 23, 2003
		Date of Adoption	January 23, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-3

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51
ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS
AND OTHER NON-UNION PERSONNEL**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2002-51 is hereby amended as follows:

SECTION I Department Head Unit Schedule "A" shall be amended as follows:

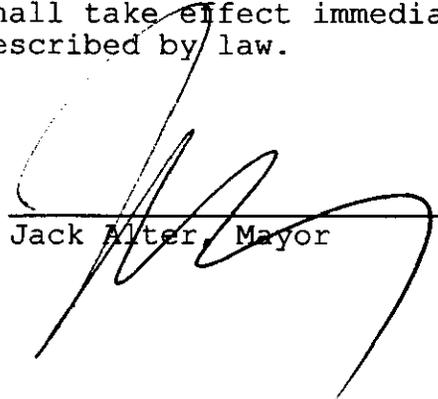
<u>TITLE</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Superintendent of Recreation/ Coordinator of Public Events	78,323	81,426	84,442	87,563

SECTION II BE IT FURTHER ORDAINED that each employee listed in Schedule (A) of the Department Head Ordinance shall receive an additional \$600.00 above their base salary in each year of the agreement in a form of a stipend which is pensionable. However, this amount shall not be added to the base salary prior to the compounding of any future salary increase.

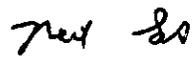
SECTION III This ordinance shall supersede any other salary ordinance that has been previously created for the aforementioned position.

SECTION IV This ordinance shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	J. Cavviani	Date of Introduction	January 23, 2003
Seconded	J. Voss	Public Hearing	February 13, 2003
		Date of Adoption	February 13, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-4

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 86,
SECTION 4, OF THE CODE OF THE BOROUGH OF FORT LEE,
ENTITLED "RESIDENCY REQUIREMENTS FOR NEW EMPLOYEES"**

WHEREAS, the Mayor and Council reinstated residency preference for the hiring of new employees November 8, 2001 (Ordinance #2001-57); and

WHEREAS, the New Jersey Department of Personnel has reviewed the ordinance and has requested a change to the adopted ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. Chapter 86, Section 4(B), entitled "Residency Requirements for New Employees," be and the same is hereby repealed and replaced with the following:

86-4(B). The Borough of Fort Lee hereby establishes residency preference classes for the hiring of employees, which classes are set forth below in order of their preference:

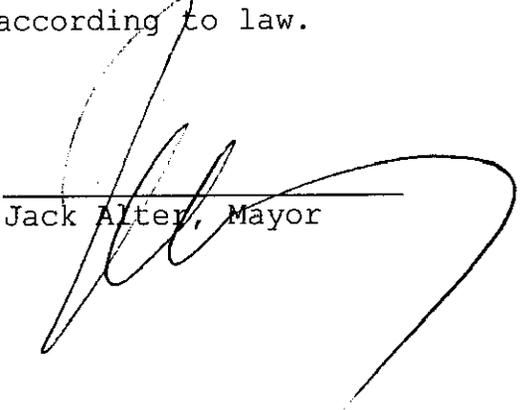
- Class I - residents of Fort Lee
- Class II - residents of County of Bergen
- Class III - residents of New Jersey Contiguous to
County of Bergen
- Class IV - residents of New Jersey
- Class V - citizens of the United States

Section II. All other parts, portions and provisions of Chapter 86, Section 4, of the Code of the Borough of Fort Lee not inconsistent with the terms hereof be and the same are hereby ratified and confirmed. In the event of any inconsistency, the terms and provisions hereof shall govern.

Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

Attest:



Jack Alter, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	J. Cervieri	Date of Introduction	January 23, 2003
Seconded	J. Voss	Public Hearing	February 13, 2003
		Date of Adoption	February 13, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-5

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 360,
OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED
"STREETS AND SIDEWALKS."**

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

Section I. Chapter 360, Section 3, of the Code of the Borough of Fort Lee, entitled "Streets and Sidewalks - Removal from Sidewalk Required; Time Limit," be and the same is hereby repealed and replaced with the following:

360-3. Removal from Sidewalk Required; Time Limit.

Every owner or tenant of any residential property abutting upon any public street shall remove all snow and ice from the abutting sidewalk of such street, at least a total width of the finished walkway or four feet, whichever is applicable; any and all depressed curbs that may intersect two streets at a corner property; and any fire hydrant which abuts the property, within 12 hours after the cessation of the snowfall.

Section II. Chapter 360, Section 4, of the Fort Lee Code, entitled "Streets and Sidewalks - Multiple Dwellings," be and the same is hereby amended to provide that owners of multiple dwellings shall remove all snow and ice within four daylight hours after cessation of the snowfall.

Section III. Chapter 360, Section 5, of the Fort Lee Code, entitled "Streets and Sidewalks - Commercial, Professional and Office Buildings," be and the same is hereby amended to provide that owners or tenants of commercial, professional or office buildings shall remove snow and ice within four daylight hours after cessation of the snowfall.

Section IV. Chapter 360, Section 6, of the Fort Lee Code, entitled "Streets and Sidewalks - Care of Sidewalks, Steps and Stairs in Multiple Dwellings," be and the same is hereby amended to provide that owners of property on which there has been constructed a multiple dwelling shall remove all snow and ice

from sidewalks, walkways, steps and stairs which are open to the public or to which the public is invited within four daylight hours after cessation of the snowfall.

Section V. Chapter 360, Section 7, of the Fort Lee Code, entitled "Streets and Sidewalks - Use of Sand, Cinders and Ashes," be and the same is hereby amended from "12 hours of daylight after snow or ice has fallen or been formed," to "four daylight hours after snow or ice has fallen or been formed."

Section VI. 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.

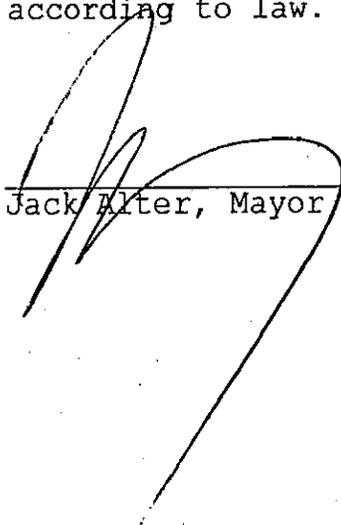
Section VII. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions and provisions of Chapter 360 are hereby ratified and confirmed, except where inconsistent herewith.

Section VIII. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>February 13, 2003</u>
Seconded	<u>J. Voss</u>	Public Hearing	<u>February 27, 2003</u>
		Date of Adoption	<u>February 27, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-6

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14,
ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES
AND CERTAIN NON-UNION EMPLOYEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2002-14 is hereby amended as follows:

SECTION I Non-Union Personnel Schedule "B" shall be amended to reflect the following positions and salaries for the years 2002 through 2005 as indicated below for the following non-union personnel.

<u>Name</u>	<u>Title</u>	(2002)	(2003)	(2004)	(2005)
John DeSheplo	Judge	\$74,715	\$77,516	\$80,229	\$83,037
Michael Sassano	Judge	\$39,207	\$40,677	\$42,101	\$43,575

<u>Name</u>	<u>Title</u>	(2003)
Matthew Skelley	Public Defender	\$17,496
Matthew Fierro	Prosecutor	\$17,496
Mark Sokolich	Zoning Board of Adjustment Attorney	\$18,470
Lee Cohen	Labor Attorney	\$89,550
Joseph Marinello	Tax Appeals Attorney	\$16,623
Bruce Bonaventuro	C-3 Wastewater Operator	\$8,500

ATTEST.

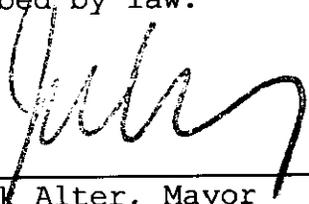
Neil Grant

NEIL GRANT

Jack Lucia Mayor

SECTION II This ordinance shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:



Jack Alter, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	A. POWAN	Date of Introduction	February 13, 2003
Seconded	M. VILLAVIC	Public Hearing	March 13, 2003
		Postponed:	March 27, 2003
		Date of Adoption	March 27, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-7

ORDINANCE ESTABLISHING A REDEVELOPMENT AREA AND ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6101, LOTS 13, 14, 15, AND 20 AND BLOCK 6102, LOTS 17, 18, 19, 20 AND 21 AS DESIGNATED ON THE TAX MAP OF THE BOROUGH OF FORT LEE, AND AMENDING AND SUPPLEMENTING THE ZONING CODE SO AS TO ESTABLISH THE D-1 REDEVELOPMENT OVERLAY DISTRICT.

WHEREAS, the Mayor and Council of the Borough of Fort Lee, on or about February 7, 2002, by resolution authorizing the Borough of Fort Lee Planning Board to undertake a preliminary investigation and make certain determinations in connection with whether specific property hereinafter described constitutes an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Planning Board, by resolution adopted September 4, 2002, recommended to the Mayor and Council that Block 6101, Lots 13, 14, 15 and 20 and Block 6102, Lots 17, 18, 19, 20 and 21 qualified as an area in need of redevelopment; and

WHEREAS, the aforementioned blocks and lots are currently zoned as C-3 Commercial Districts in the Zoning Ordinance of the Borough of Fort Lee; and

WHEREAS, by resolution dated September 26, 2002, the Mayor and Council of the Borough of Fort Lee determined that the aforementioned property be designated an area in need of redevelopment and authorized the Planning Board of the Borough of Fort Lee to prepare a redevelopment plan for said property; and

WHEREAS, the Planning Board of the Borough of Fort Lee reviewed a redevelopment plan for the aforementioned properties entitled "Redevelopment Plan for Redevelopment Area I in the Northeastly Portion of the Borough of Fort Lee, New Jersey", prepared by Abeles, Phillips, Preiss & Shapiro, Inc., and dated December, 2002; and

WHEREAS, the Planning Board of the Borough of Fort Lee adopted a resolution dated January 27, 2003, approving the redevelopment plan and determining that the redevelopment plan is consistent with N.J.S.A. 40A:12A-7 and the Master Plan of the Borough of Fort Lee, and recommending the adoption of said redevelopment plan; and

WHEREAS, within said area, the Mayor and Council finds that there exist a number of underutilized properties and structures upon fragmented lots which reflect the lack of proper utilization of the existing resources resulting in astringent and unproductive condition of land which would otherwise be potentially useful and valuable for contributing to and servicing the public health, safety and welfare; and

WHEREAS, the acquisition, clearance, rehabilitation, planning, reconstruction renewal or redevelopment of such area will promote the public health, safety, morals and welfare, and revitalize these areas and adjacent areas within the Borough of Fort Lee, and

WHEREAS, the Borough believes that the redevelopment of the Property pursuant to redevelopment plan is in the vital and best interests of the Borough and the health, safety, morals and welfare of its residents and in accord with the public purposes and provisions of the Local Redevelopment and Housing Law and all other applicable state and local law and requirements under which the Project is being undertaken; and

WHEREAS, the Borough has determined to act as the redevelopment entity for the project in accordance with N.J.S.A. 40A:12A-8.

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

Section 1. DESIGNATION OF REDEVELOPMENT AREA. There is hereby adopted, pursuant to the New Jersey Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-7 et seq., a redevelopment plan entitled "Redevelopment Plan for Redevelopment Area I in the Northeasterly Portion of the Borough of Fort Lee, New Jersey", prepared by Abeles, Phillips, Preiss & Shapiro, Inc., and dated December, 2002, on file with the Borough Clerk and incorporated by reference as if set forth at length herein. The specific properties deemed to be an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-5 are as follows: Block 6101, Lots 13, 14, 15 and 20 and Block 6102, Lots 17, 18, 19, 20 and 21, as designated on the Tax Map of the Borough of Fort Lee and hereinafter referred to as the "Bridge Plaza North/Hudson Street Redevelopment Project."

Section 2. DESIGNATION OF REDEVELOPMENT ENTITY. Pursuant to the authority granted by N.J.S.A. 40A:12A-4C, the Mayor and Council of the Borough of Fort Lee is hereby designated to exercise the powers of a redevelopment entity for the Bridge Plaza North/Hudson Street Redevelopment Plan.

Section 3. REDEVELOPMENT PLAN. There is hereby adopted pursuant to N.J.S.A. 40A:12A-7 the redevelopment plan prepared by Abeles, Phillips, Preiss & Shapiro, Inc., dated December, 2002, which is specifically incorporated herein. This plan is on file with the Borough Clerk.

The Plan includes the following:

A. Relationship to Local Objectives. The purpose of the Bridge Plaza North/Hudson Street Redevelopment Plan advances the objectives and recommendations of the Borough's 1988 Master Plan, as well as the 1995 and 2001 Master Plan re-examinations as follows: promotion of development in areas with highway access to minimize traffic impacts on the Borough; furthering redevelopment of the area in a manner compatible with existing development in the area; otherwise promoting the public health, safety and welfare; expansion of the tax base to promote

economic well being of the Borough and its residents; promote the full economic potential of land where commercial development is appropriate; promote and expand economic opportunities in Fort Lee in order to maintain job opportunities and economic well being of Fort Lee's citizens.

B. Relationship to the Intent and Purpose of the Zoning Ordinance. The redevelopment area is currently zone C-3 Limited Business District, as per the Fort Lee Zoning Ordinance. The C-3 district permits business and professional offices, banks and other financial institutions, as well as municipal buildings, schools and parks. Permitted conditional uses include hotels, retail and service businesses, gas stations, and planned commercial and mid-rise residential development. Accessory uses include off-street parking. Permitted building heights vary from 40 feet to 150 feet depending on use, with a 100-foot maximum height permitted for office buildings and financial institutions and a 150-foot maximum height for hotels. Floor area ratios vary from 0.6 to 2.5 depending on use, with offices and hotels permitted floor area ratios of 2.5 and 1.5, respectively. Yard requirements are based on formulas that consider right-of-way width and building height.

The development standards of the Redevelopment Plan shall supercede the provisions of the C-3 zoning. Where there is a conflict between specific use, bulk or other development provisions of the Redevelopment Plan and the C-3 zoning, the provisions of the Redevelopment Plan shall apply.

C. Redevelopment Plan Goals and Objectives. The specific goals and objectives of the Redevelopment Plan are as follows:

1. To provide for appropriate land uses that will eliminate blight, promote economic development and growth opportunities, and serve the needs of the community.
2. To provide for an increase in the economic base of the redevelopment area and entire Borough by redeveloping underutilized and non-productive properties.
3. To minimize the negative impact of existing dilapidated commercial and residential uses in the redevelopment area on the surrounding neighborhood.
4. To encourage the revitalization of the redevelopment area in a manner that is compatible with the character of adjacent properties and land uses.
5. To capitalize on the existing strengths of the redevelopment area, including the presence of adjacent office and retail development and the proximity to major highways and the George Washington Bridge.
6. To promote new office development and other commercial uses in the redevelopment area in a manner that will benefit the community while minimizing traffic congestion within the Borough.

D. Relocation. Provisions for the temporary and permanent relocation of businesses and persons, if any, located within the redevelopment area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.) The Borough of Fort Lee shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons and businesses displaced, determining the needs of relocation, providing assistance in relocating new places of residence and business within the Borough of Fort Lee and vicinity, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses. However, any expenditures for such relocation shall be borne by the redeveloper. At the time of property acquisition, the actual extent of displacement will be determined and a Workable Relocation Assistance Plan (WRAP) will be prepared and submitted to the NJ Department of Community Affairs for approval. The Borough will comply with the requirements of the New Jersey State relocation statutes and regulations as applicable, and will provide all benefits and assistance required under the statute.

E. Significant Relationship with Other Master Plans.

- (i) The redevelopment plan either has no significant relationship or is compatible with the Master Plans of contiguous municipalities, the Bergen County Master Plan and the State Development and Redevelopment Plan.
- (ii) The redevelopment project is located in the heart of an existing C-3 district and is not located in the vicinity of the borders of any contiguous municipalities.

Section 4. POWERS OF REDEVELOPMENT ENTITY. Subject to the approval of the Mayor and Council, the Borough of Fort Lee may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the Bridge Plaza/Hudson Street Redevelopment Plan and in order to carry out and effectuate said purposes, the Borough of Fort Lee may:

- a. Acquire or contract to acquire from any person, firm, or corporation, public or private by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment zone.
- b. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.) As amended. All privately owned lots within the redevelopment area are subject to acquisition by the

options or property rights or for the furnishing of property or services in connection with a redevelopment area.

- l. To enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings, or test borings necessary to carry out the purpose of this ordinance.
- j. To arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area, if necessary.
- k. to negotiate with redevelopers for the private sale of real property within the redevelopment area.
- l. To do and perform all powers authorized by Law to carry out the foregoing purposes not otherwise specifically delineated herein.

Section 5. MISCELLANEOUS PROVISIONS.

A. The Mayor is hereby designated to execute and the Borough Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the Borough Attorney.

B. In connection with the implementation of the Plan, the Borough Attorney and/or the Office of Economic Development is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes, where necessary and appropriate.

C. **Basements.** No building shall be constructed over a public easement in the redevelopment area without prior written approval of the Engineer of the Borough of Fort Lee.

D. **Site Plan and Subdivision Review.** Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the redevelopment area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Planning Board of the Borough of Fort Lee so that compliance with the Redevelopment Plan can be determined.

Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this Redevelopment Plan and the subdivision ordinance of the Borough of Fort Lee.

No construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved

by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

E. Adverse Influences. No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic and noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

F. Non-Discrimination Provisions. No covenant, lease, conveyance or other instrument shall be affected or executed by the Borough Council of the Borough of Fort Lee or by a developer or any of his successors or assignees, whereby land within the redevelopment area is restricted by the Borough Council of the Borough of Fort Lee, or the developer, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the redevelopment area on the basis of race, creed, color or national origin.

G. Duration of the Plan. The provisions of this Plan specifying the redevelopment of the redevelopment area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this plan by the Borough Council of the Borough of Fort Lee.

H. Deviation Requests. The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12.a and b.

Section 6. STRATEGIC PLAN.

A. Redevelopment Plan. It is the goal of the Redevelopment Plan to: (1) to encourage redevelopment in a manner that is compatible with the character of adjacent areas and land uses; and (2) to promote use of the redevelopment area for new office development, other commercial uses and off-street parking that will benefit the community while minimizing traffic

congestion within the Borough. It is the intent of the Redevelopment Plan to promote new construction on underutilized properties and to reuse existing structures in the redevelopment area. The Redevelopment Plan specifically envisions uses that include: (1) general and professional office uses; (2) retail uses of types that service the surrounding residential community and existing and proposed office development, including convenience and daily needs shopping and restaurants; and (3) off-street parking.

B. Targeted Redevelopment Actions. Specific actions are targeted by the Redevelopment Plan to address certain deficiencies within the redevelopment area, as follows:

Office Development. Office development is proposed for the portion of the redevelopment area on Block 6101 (Lots 13, 14, 15 and 20) that is currently occupied by the uncompleted and abandoned six-story office building. Under the Redevelopment Plan, it is proposed that this structure be salvaged and completed for use as general or professional office space or some combination thereof. Redevelopment would include adequate off-street parking and accessory uses appropriate for inclusion in an office building (i.e., convenience retail services). It is anticipated that the reuse of the existing structure may entail reconfiguration of the building to meet the requirements of redevelopment area zoning and/or current market conditions.

Commercial/Retail Development and Accessory Parking. Commercial/retail development and/or accessory parking is proposed for the portion of the redevelopment area on Block 6102 (Lots 17, 18, 19, 20 and 21). This property is currently occupied by two older homes and a small commercial building, as well as a small vacant lot. It is anticipated that under the Redevelopment Plan these properties will be redeveloped for either commercial retail uses related to adjacent development, including the Food Emporium shopping center and/or current and proposed office development; or to provide any ancillary parking that may be necessary to satisfy the off-street parking requirements of the proposed new office development across Hudson Street.

Section 7. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance of the Borough of Fort Lee is hereby amended and supplemented to implement the Redevelopment Plan as follows:

- a. The Zoning Map of the Borough of Fort Lee, Chapter 410, Section 9 of the Fort Lee Code is hereby supplemented with the following:

"410-9 1. A redevelopment overlay district, designated "D-1 - Bridge Plaza North/Hudson Street", which shall overlay the existing zoning district of Block 6101, Lots 13, 14, 15 and 20 and Block 6102, Lots 17, 18, 19, 20 and 21 on the Fort Lee Tax Map."

- b. Amend Chapter 410, Section 8 of the Fort Lee Code entitled "Designation of Zones" to include "D-1-Redevelopment Overlay District".

- c. Supplement Chapter 410 of the Fort Lee Code by the addition thereto of the following:

"Section 410-81 D-1 Redevelopment Overlay.

The zoning criteria for Block 6101, Lots 13, 14, 15 and 20 and Block 6102, Lots 17, 18, 19, 20 and 21 as shown on the Fort Lee Tax Map, shall be as follows:

a. **Principal Permitted Uses:**

- Offices.
- Retail sales and service.
- Restaurants, excluding take-out restaurants and/or restaurants with drive-thru facilities.
- Day care centers.
- Mixed use of any of the above.

b. **Permitted Accessory Uses:**

- Structured off-street parking, located within office buildings.
- Open lot off-street parking for any permitted use. Provision of such parking is permitted on any lot within the redevelopment area, including those which are not directly contiguous to, or separated by a street from, the lot(s) upon which the principal permitted use is proposed.
- Off-street loading and unloading.
- Accessory retail sales in office buildings, as per §410-35 A.(6) of the Zoning Ordinance of the Borough of Fort Lee.

c. **Bulk Standards:**

- Maximum building heights shall be as follows:
 - 100 feet for office buildings, for new construction or additions to existing buildings.
 - 40 feet for all other uses.
- Rooftop mechanical equipment is permitted. All rooftop mechanical equipment must be properly screened.
- maximum lot coverage, as defined in §410-7 of the Borough of Fort Lee Zoning Ordinance, shall be 85% of the lot area.
- Minimum front yard requirements for new construction shall be in accordance with the following formula:
 - The greater of three-quarters ($\frac{3}{4}$) the building height less one-half ($\frac{1}{2}$) the adjacent right-of-way width, or if the adjacent right-of-way is less than sixty (60) feet in width, one-half ($\frac{1}{2}$) the difference between the right-of-way width and sixty (60) feet.

- Minimum side yard requirements for new construction shall be in accordance with the following:
 - Fifteen (15) feet or one-quarter (1/4) the building height, whichever is greater.
 - No side yard shall be required for a building that does not exceed thirty (30) feet in height.
- Minimum rear yard requirements for new construction shall be in accordance with the following:
 - Fifteen (15) feet or one-third (1/3) the building height, whichever is greater.
- Any parcel directly abutting Bridge Plaza North and its approach ramps shall not be required to maintain a side or rear yard on the side or sides abutting said plaza and its approach ramps.
- Renovation to existing buildings shall maintain existing setbacks from front and side lot lines.
- The Bulk Standards provided herein shall supercede all bulk, density, area and height provisions of the Borough of Fort Lee Zoning Ordinance.

d. **Signage.** Regulations pertaining to signs shall be pursuant Article XII of the Borough of Fort Lee Zoning Ordinance, as specifically provided for the C-3 zone.

e. **Parking and Loading.** Regulations pertaining to off-street parking and loading shall be pursuant to Article VI of the Borough of Fort Lee Site Plan Review Ordinance.

All other parts, portions or provisions of Chapter 410 of the Fort Lee Code, which may be applicable to the properties encompassed within this D-1 Redevelopment Overlay District, and not inconsistent with the zoning criteria set forth above, shall remain in full force and effect. All zoning regulations inconsistent with the above criteria established for this redevelopment overlay district are hereby superceded by the criteria set forth herein.

Section 8. PROCEDURE FOR AMENDING THE APPROVED PLAN. This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500.00 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Borough. The Planning Board, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner, licensed in the State of New Jersey.

Section 9. This ordinance shall take effect after publication and passage according to law.

Section 10. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-62.1. Upon adoption of this ordinance, after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as

finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

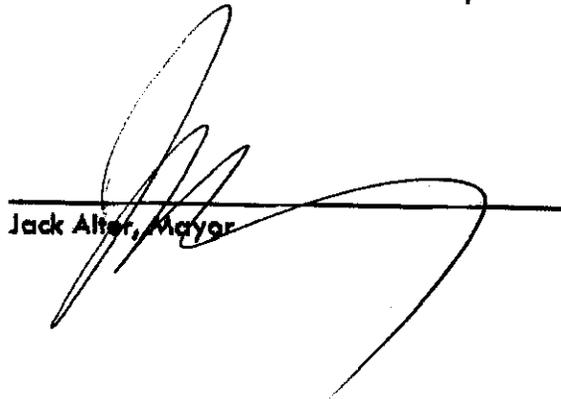
Section 11. Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 12. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ATTEST:

Neil Grant

Neil Grant, Clerk



Jack Alter, Mayor

Introduced	A. POHAN	Date of Introduction	February 13, 2003
Seconded	M. VILLAM	Public Hearing	March 13, 2003
		Postponed	March 27, 2003
		Date of Adoption	March 27, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-8

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE #2002-42, ENTITLED "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 410, 'ZONING,' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE," AS ADOPTED NOVEMBER 14, 2002

WHEREAS the Borough of Fort Lee adopted an Ordinance on November 14, 2002 which created the R-6A Ages Restricted Apartment Zone; and

WHEREAS, by virtue of mis-designation of lots designated as part of that zone, as set forth in Section 3 of Ordinance #2002-42, it is necessary to correct the mis-designation; and

WHEREAS, the correction is ministerial in nature, since all properties and property owners were notified and designated in the earlier Ordinance, specifically, designation in Ordinance #2002-42 as Lot 9, which includes the properties formerly designated as Lots 10 and 11, in Block 4804,

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

Section I. Ordinance 2002-42, entitled "An Ordinance to Amend and Supplement Chapter 410, 'Zoning,' of the Revised General Ordinances of the Borough of Fort Lee," adopted November 14, 2002, be and is hereby amended as follows:

Section 3, 410-9, Zoning Map, is hereby amended by adding the following paragraph:

The area bounded generally by Bridge Plaza South on the north, Hudson Terrace on the east, Main Street on the south and Central Road on the west, which is currently located within the limits of the R-6 Zone, and more particularly designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, in Block 4804; Lots 1, 5, 6, 7, 8 and 9, in Block 4805; and Lot 1 in Block 4806; on the Fort Lee tax maps, is hereby rezoned to the R-6A Age-Restricted Apartment Zone.

Section II. The provision 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 of 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 Ordinance #2002-42 are hereby ratified and confirmed, except where inconsistent with the terms hereof.

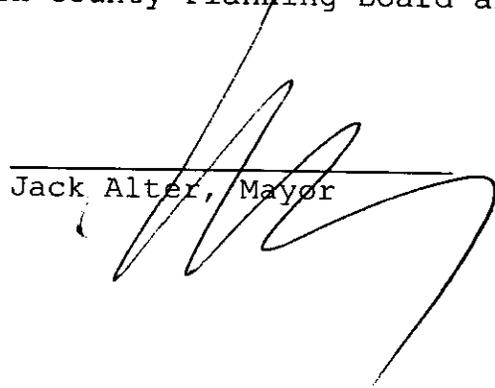
Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section V. A certified copy of the Ordinance upon adoption shall be sent to the Bergen County Planning Board and to all surrounding municipalities.

Attest:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. Cravens</u>	Date of Introduction	<u>February 27, 2003</u>
Seconded	<u>J. Voss</u>	Public Hearing	<u>March 27, 2003</u>
		Date of Adoption	<u>March 27, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-09

WHEREAS, the Local Government Cap Law, N.J.S.A. 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 5% or the index rate, whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1986, C.203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5% increase its final appropriations by a percentage rate greater than the index rate but not exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and

WHEREAS, the index rate for 2003 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs at 1.0%; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee in the County of Bergen finds it advisable and necessary to increase its 2003 budget by more than 1.0% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 4.0% increase in the budget for said year, amounting to \$1,278,761.24 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary,

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and 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 2002 budget year, the final appropriations of the Borough of Fort Lee shall, in accordance with this ordinance and P.L. 1986, C.203, be increased by 4.0% amounting to \$1,278,761.24, and that the 2003 municipal budget for the Borough of Fort Lee be approved and adopted in accordance with this ordinance; 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 five 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 five days after such adoption.

Attest: Neil Cravens
NEIL CRAVENS BOROUGH CLERK

Jack Alter
JACK ALTER, MAYOR

Introduced	J. CERVENA	Date of Introduction	April 10, 2003
Seconded	J. VOSS	Public Hearing	May 8, 2003
		Date of Adoption	May 8, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-10

AN ORDINANCE ESTABLISHING CHAPTER 281 PROVIDING FOR THE REGULATION, LICENSING AND PLACEMENT OF NEWSRACKS IN THE BOROUGH OF FORT LEE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, County of Bergen, State of New Jersey that the above ordinance is hereby established as follows:

Section 1. Findings

A. The uncontrolled placement of newsracks in public rights-of-way presents an inconvenience and danger to the health, safety and welfare of persons using such public rights-of-way, including pedestrians, persons entering and leaving vehicles and buildings, and persons performing essential utility, traffic control and emergency services.

B. The uncontrolled placement of newsracks is also detrimental to the aesthetic characteristics of the Borough of Fort Lee and unsightly newsracks located in the public rights-of-way constitute public nuisances and cause visual blight.

Section 2. Definitions

As used herein, the following terms shall have the meanings indicated:

A. "Building Department" shall mean the Borough of Fort Lee Building Department.

B. "Distributor" shall mean the person, corporation, employee, servant or agent who erects, places, maintains or operates a newsrack in the public right-of-way.

C. "Newsrack" shall mean any self-service or coin operated box, container, storage unit, or other dispenser erected, placed, maintained or operated for the display, distribution and/or sale of newspapers, circulars, pamphlets, news periodicals, magazines, announcements

advertisements, leaflets or other similar publications.

D. "Public right-of-way" shall mean a street, sidewalk or roadway.

E. "Roadway" means that portion of a street improved, designated or ordinarily used for vehicle travel.

F. "Sidewalk" means any public surface or area provided for the use of pedestrians.

G. "Street" means all that area dedicated to public use for public street purposes and shall include, but not be limited to, roadways, park ways, alleys and sidewalks.

Section 3. Permit Required

It shall be unlawful for a distributor to erect, place, maintain or operate a newsrack on any public right-of-way in the Borough of Fort Lee without first having obtained a permit from the Building Department, signed by the Construction Official or the Acting Construction Official. The permit shall specify the exact location of each newsrack. One permit may be issued for multiple newsracks.

Section 4. Application for Permit

An application for a permit shall be made, in writing, to the Building Department, attention Construction Official. The application shall be on forms promulgated by the Building Department in consultation with the Administrator. The application shall contain the name and address of the applicant, the proposed specific location of the newsrack(s), a drawing and specification of the proposed newsrack(s) depicting compliance with requirements for dimensions, color and lettering, and the application shall be signed by the applicant.

Section 5. Conditions for Permit

A. Permits shall be issued by the Building Department to a distributor to erect, place, maintain or operate a newsrack on the public right-of-way provided said placement, maintenance

least \$100,000 for one person, and for more than one person, \$1,000,000, insuring against loss from liability imposed by law upon the distributor for damages on account of bodily injury or death suffered, and in the sum of \$50,000 against loss on account of property damage suffered by any persons or persons as a result of an accident occurring by reason of the ownership, control or maintenance of a newsrack, and no permit shall continue effective unless such insurance shall remain in full force and effect, during the entire term of the permit. Such insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and control of such newsrack, or any fault in respect thereto, and shall be for the benefit of any person suffering loss, damage or injury as aforesaid.

Each insurance policy shall provide that neither the distributor, nor its insurer, shall have any right to subrogation against the Borough of Fort Lee. Each insurance policy shall provide primary coverage for any and all losses and shall be drafted so as to protect all parties.

Within ten (10) days of the issuance of the permit, the distributor shall have the Borough of Fort Lee added as an additional insured on the insurance policies required by this Section.

Section 6. Standards for Maintenance and Installation

Any newsrack which, in whole or part, rests upon, in or over any public right-of-way shall comply with the following standards:

A. No newsrack shall exceed forty-nine inches (49") in height, twenty inches (20") in width; or eighteen inches (18") in depth. Newsracks shall be manufactured of sturdy metal housing, using 12 gauge sheet metal or better, finished with a prime coat and baked powder coat finish.

B. Newsracks shall be green, with white lettering, but lettering shall not exceed three inches (3") in height and shall not cover more than ten percent (10%) of the surface area of the

and operation complies with the provisions of this Ordinance.

B. An annual permit fee of fifty (\$50) dollars per newsrack is required.

C. Applications shall be either granted or denied within twenty (20) business days after the filing of a completed application, as required by this Ordinance. For each requested location in excess of ten (10) locations, the Building Department shall have an additional two business days to act on the application. Separate applications by the same distributor will be deemed to be one application for purposes of this subsection.

D. The permit shall be valid for a period of one (1) year on a calendar year basis, commencing January 1st, and shall be renewable on January 1st of any subsequent year. The annual fee shall be prorated if the permit is issued effective subsequent to January 1st.

E. Before the Building Department may issue a newsrack permit to any person, that person must execute an indemnification agreement substantially as follows:

“The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made represent, stipulate, contract and agree that they will jointly and severally defend, indemnify and hold the Township of Fort Lee harmless against liability for any and all claims for damage to property, or injury to or death of persons, arising out of or resulting from the newsrack, the issuance of the permit for the newsrack, or the control, maintenance or ownership of the newsrack.”

F. Before the Building Department may issue a newsrack permit to any person, that person shall file with the Building Department an insurance policy or policies of a company duly licensed to transact business under the insurance laws of this State, with coverage limits of at

newsrack.

C. Notwithstanding any provision in this Ordinance to the contrary, any newsrack located in a streetscape designated area shall conform to the aesthetic characteristics of the streetscape plan.

D. No newsrack shall be used for advertising signs or for publicity purposes other than that dealing with the display, sale or purchase of the newspapers, or news periodicals sold therein.

E. Unless publications are made at no cost, each newsrack shall be equipped with a coin return mechanism to permit a person using the machine to secure an immediate refund in the event he is unable to receive the publication paid for. The coin return mechanisms shall be maintained in good working order.

F. Each newsrack shall have affixed to it a readily visible place so as to be seen by anyone using the newsrack, a notice setting forth the name and address of the distributor and the telephone number of a working telephone service to report a malfunction of the coin return mechanism, or to give the notices provided for in this Ordinance.

G. Each newsrack shall be maintained by the distributor in a neat and clean condition and in good repair at all times. Specifically, but without limiting the generality of the foregoing, each newsrack shall be serviced and maintained so that:

1. It is free of chipped, faded, peeling and cracked paint in the visible painted areas thereof;
2. It is free of rust and corrosion;
3. The clear plastic or glass parts thereof, if any, through which the publications therein are viewed, are unbroken and free of cracks, dents, blemishes and discolorations;

4. The paper or cardboard parts or inserts thereof, if any, are free of tears, peeling or fading;

5. It shall not have any structural parts, which are broken, duly misshapen or otherwise dangerous; and

6. It is free of garbage and litter.

H. It shall be unlawful for any distributor to place or maintain any publication or material in a newsrack which is obscene as defined by the United States Supreme Court and/or as set forth in N.J.S.A. 2C:34-2 or -3.

I. Each newsrack shall be maintained to prevent their contents from being scattered about the area.

Section 7. Placement of Newsracks.

Any newsrack which, in whole or in part, rests upon, on, or over any portion of the public right-of-way, shall be located in accordance with the provisions of this section.

A. No newsrack shall be used or maintained which projects onto, into or over any part of the roadway.

B. Newsracks shall be placed and secured using a cement tray or equivalent means so as to prevent their being blown down or around the public right-of-way. Newsracks shall not be chained or otherwise affixed or secured to any traffic or street signs or signals, hydrants, mailboxes, sidewalks or other public property.

C. No more than two (2) newsracks may be placed adjacent to each other at any location that complies with this Ordinance. After a newsrack (or pair of newsracks) is permitted for a specific location, no additional newsrack(s) shall be placed less than one (1) city block from the permitted newsrack (or pair of newsracks).

D. No newsrack shall be permitted which:

1. Endangers the safety of the persons or property;
2. Unreasonably interferes with or impedes the flow of pedestrians or vehicular traffic, including any legally parked or stopped vehicle;
3. Unreasonably interferes with the ingress to or egress from any residence or place of business;
4. Unreasonably interferes with passengers boarding or exiting from buses at designated bus stops;
5. Unreasonably interferes with the use of traffic signs or signals, fire hydrants or mailboxes located or permitted at or near said location.

E. No newsrack shall be placed, installed, used or maintained:

1. Within three feet (3') of any marked crosswalk;
2. Within eighteen inches (18") of a curb;
3. Within fifteen feet (15') of any fire hydrant, fire call box, police call box or other emergency facility;
4. Within five feet (5') of any driveway;
5. At any location whereby the clear space for the passageway for pedestrians is reduced by the newsrack to less than six feet (6');
6. Within three feet (3') of or on any public area improved with lawn, flowers, shrubs, trees or other landscaping;
7. Within three hundred feet (300') of any other newsrack containing the same issue or edition of the same publication;
8. Within ten feet (10') of any standby or sprinkler connection or related safety or fire

equipment;

9. Within five feet (5') of any building, unless written permission is secured from the property owner, and same is filed with the application;

10. In front of a single family or two-family residence.

F. Notwithstanding anything to the contrary contained in this Ordinance, if the Borough of Fort Lee designates certain areas (known as convenience nodes) for the placement of newsracks as part of a streetscape or redevelopment project, newsracks shall only be placed within the convenience nodes. Except as provided in this subsection, no newsracks shall be placed within thirty feet (30') from the curb of a streetscape or redevelopment project.

G. No newsrack shall be permitted in any location zoned as residential.

H. Upon removal of any newsrack, the distributor shall promptly eliminate any potential hazards to the public, such as bolts, brackets or holes, and otherwise repair and restore the public right-of-way and public property.

Section 8. Locations Permitted

Notwithstanding anything contained in this Ordinance to the contrary, the following shall constitute the only locations at which newsracks may be installed/placed:

A. On Bridge Plaza South, in the easement area at the intersection of Hudson Terrace, on the easterly side of the street;

B. On Bergen Boulevard, adjacent to the bus stop in front of Block 2601, Lot 2.

C. On Block 5701, Lot 11, at present commonly known as Red Oak Diner, fronting on Route 9W;.

D. Adjacent to the Fort Lee municipal parking lot walkway, north of the Plaza Diner.

E. On the extension road from the George Washington Bridge toward Hudson Terrace,

on the easterly side of the street near steps to George Washington Bridge.

Section 9. Appeals Process

Any potential distributor denied a permit to erect, place, maintain or operate any newsrack may file with the Mayor and Council of Fort Lee a written appeal, which shall be acted upon within thirty (30) days.

Section 10. Violation

Any violation of this Ordinance shall subject the violator to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), to confinement of not more than ninety (90) days in jail, or both. Each newsrack violation constitutes a separate violation, and each day of said violation constitutes a separate violation.

Section 11. Suspension or Revocation of Permit

In addition to the penalties provided in Section 10, it shall be within the power and discretion of the Building Department to suspend or revoke a permit for continued or repeated violations or infractions of any provision of this Ordinance, or of any rule, direction or regulation of the Building Department. Suspension or revocation of a permit shall be mandatory for the third violation of this Ordinance.

Section 12. Notice

A notice of violation shall be issued to the distributor at least forty-eight (48) hours in advance of the issuance of any summonses.

Section 13. Abandonment, Removal and Storage Fee

A. In the event that a newsrack remains empty for a period of thirty (30) continuous days, the same shall be deemed abandoned and may be removed at the distributor's cost, by the Borough of Fort Lee, or any of its designated departments.

B. If a distributor is convicted of a violation of this Ordinance and fails to correct or remedy the violation within ten (10) days following said conviction, or disposition of any appeal, then the Building Department or any designated department of the Borough may remove the newsrack(s) which was the basis of the conviction, at the distributor's cost.

C. Upon removal of a newsrack, the distributor shall be notified at the address listed on the newsrack. If the newsrack is not claimed within twenty (20) days of the mailing of said notice, the Borough of Fort Lee or any designated department of the Borough may dispose of the newsrack.

D. For any newsrack that is abandoned or removed in accordance with this Ordinance, then stored by the Borough, the Borough of Fort Lee shall charge a twenty-five dollar (\$25.00) per day storage fee.

Section 14. Permits Not to Be Assigned

The permits issued pursuant to this Ordinance shall not be assigned or transferred.

Section 15. Severability

If any article, section, sub-section, sentence, clause or phase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 16. Repealer

Any ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

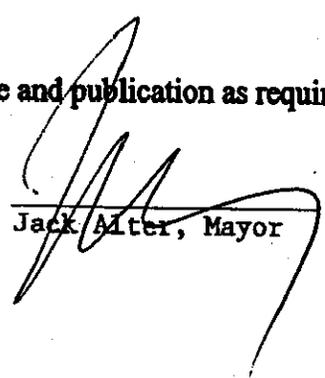
Section 17. Effective Date

This Ordinance shall take effect upon passage and publication as required by law.

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>April 24, 2003</u>
Seconded	<u>J. Voss</u>	Public Hearing	<u>May 22, 2003</u>
		Date of Adoption	<u>May 22, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 24 OF THE FORT LEE CODE, ENTITLED "LOADING ZONES," AND CHAPTER 388, SECTION 55 OF THE FORT LEE CODE, ENTITLED "SCHEDULE XI: LOADING ZONES," SETTING SCHEDULE AND LOCATIONS OF LOADING ZONES

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

Section I. Chapter 388, Sections 24 and 55 of the Code of the Borough of Fort Lee, entitled "Loading Zones," and "Schedule XI: Loading Zones," be and are hereby amended and supplemented so as to add the following:

West side, beginning at a point 120 feet south of the intersection of Main and Schlosser Streets, extending 42 feet in a southerly direction on Schlosser Street. This area shall be designated as a loading zone with a maximum time limit of ten (10) minutes, and will also be designated as a tow-away zone in the event of violations.

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.

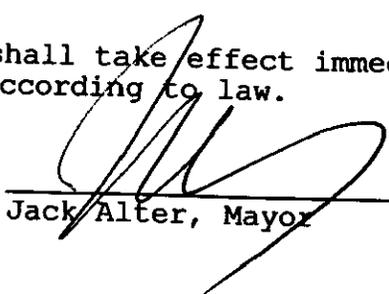
Section III. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Jack Alter, Mayor

Introduced	J. VOSS	Date of Introduction	April 24, 2003
Seconded	M. VILLANO	Public Hearing	May 8, 2003
		Date of Adoption	May 8, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 349 OF THE FORT LEE CODE ENTITLED "SMOKE AND CARBON MONOXIDE DETECTORS"

WHEREAS, the State of New Jersey has adopted regulations concerning the placement and maintenance of smoke detectors and carbon monoxide sensors; and

WHEREAS, it is the desire of the Borough of Fort Lee that its ordinances conform with State Statutes and Administrative Code Regulations,

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

Section I: Chapter 349, Section 1 of the Fort Lee Code entitled "Smoke and Carbon Monoxide Detectors - definitions" be and the same is hereby amended in the following manner:

Dwelling Unit - Any room or group of rooms located within a dwelling forming a single habitable unit which includes facilities for living, sleeping, cooking, eating, bathing and toilet purposes in all residential use groups, including, but not limited to Group I-1 (assisted living), R-1 (hotel motel), R-2 (multiple dwellings, defined as three or more units), R-3 and R-4 (single and two family homes).

Section II: Chapter 349, Section 3 of the Fort Lee Code entitled "Smoke and Carbon Monoxide Detectors - Violations and Penalties", be and the same is hereby deleted and replaced with the following:

"The provisions of this Chapter shall be enforced pursuant to the provisions of the Uniform Fire Safety Act and violations shall be subject to the penalties contained therein. Appeals of any such penalties shall be governed by the procedures set forth under N.J.S.A. 52:27D-206b.

Section III: Chapter 349, Section 8 of the Fort Lee Code entitled "Smoke and Carbon Monoxide Detectors - Violations and Penalties", be and the same is hereby amended such that same shall hereinafter read as follows:

Any owner who sells, leases, rents or otherwise permits to be occupied for residential purposes any premises subject to the provisions of this Chapter, shall, when the premises do not comply with the requirements of Chapter 349-6 hereof, or without complying with the inspection and certification requirements of Chapter 349-7 hereof to be subject to the provisions of the Uniform Fire Safety Act and violations shall be subject to the penalties contained therein. Appeals of any such penalties shall be governed by the procedures set forth under N.J.S.A. 52:27D-206b.

Section IV: All other parts, portions and provisions of Chapter 349 of the Fort Lee Code entitled "Smoke and Carbon Monoxide Detectors" be and the same are hereby ratified and confirmed, except where inconsistent herewith. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

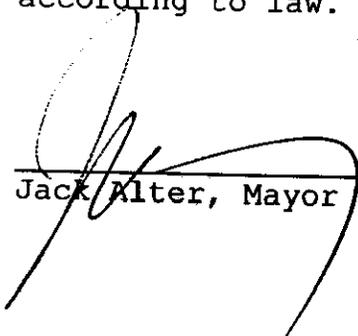
Section V: The provisions of this Ordinance are hereby declared to be severable; should any section thereof be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

Section VI: The Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	M. VILLAVO	Date of Introduction	April 24, 2003
Seconded	J. VOSS	Public Hearing	May 22, 2003
		Date of Adoption	May 22, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-13

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF A COMMUNITY CENTER AND SPORTS FIELDS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$13,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,500,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME.

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 or purposes described in Section 3 of this bond ordinance are hereby 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 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$13,500,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$13,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, 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 or notes are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) (1) Purpose: Construction of a Community Center, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$12,000,000
<u>Maximum Amount of Bonds or Notes:</u>	\$12,000,000
<u>Period or Average Period of Usefulness:</u>	30 years

- (2) Purpose: Construction of Sports Fields at Van Fleet Park and Louis Cole Middle School, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,500,000
<u>Maximum Amount of Bonds or Notes:</u>	\$1,500,000
<u>Period or Average Period of Usefulness:</u>	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

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

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 28.333 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 \$13,500,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,500,000 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 several improvements or purposes.

(e) This bond ordinance authorizes obligations of the Town solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Town. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the

obligations authorized by this bond ordinance will not materially impair the credit of the Town or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes 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 hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is 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.

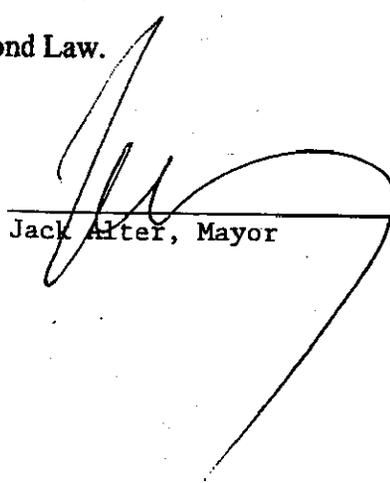
Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder

as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

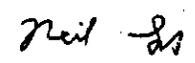
Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

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:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	<u>J. CERIERI</u>	Date of Introduction	<u>May 8, 2003</u>
Seconded	<u>A. PUGHAN</u>	Public Hearing	<u>June 12, 2003</u>
		Date of Adoption	<u>June 12, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-14

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 261, "LAND USE PROCEDURES," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 345, "SITE PLAN REVIEW," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 365, "SUBDIVISION OF LAND," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AND CHAPTER 410, "ZONING," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE.

WHEREAS, the Borough of Fort Lee desires to adopt a checklist for applications for development made to the Planning Board and Zoning Board of Adjustment; and

WHEREAS, the existing requirements for such development applications are contained in Chapter 261, "Land Use Procedures," Chapter 345, "Site Plan Review," Chapter 365, "Subdivision Of Land," and Chapter 410, "Zoning," of the Revised General Ordinances of the Borough of Fort Lee; and

WHEREAS, amendments to these chapters are necessary to enable the creation of a checklist for such development applications,

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

Section I. Chapter 261, "Land Use Procedures," of the General Ordinances of the Borough of Fort Lee be and is hereby amended as follows:

A. Amend the following section of Chapter 261.

§261-10. Applications; procedure for filing (Chapter 261, Article I)

Applications for development within the jurisdiction of the Planning Board pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., shall be filed with the Planning Administrator. The applicant shall obtain all necessary forms from the Planning Administrator. The Planning Administrator shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board.

B. Add the following section to Chapter 261.

§261-25.1. Procedures for Complete Application (Chapter 261, Article III)

An application for development shall be complete for purposes of commencing the applicable time period for action by the Planning Board or Zoning Board of Adjustment.

A. The Planning Administrator shall be authorized to accept an application as complete for purposes of commencing the applicable time period, provided that an application has fully provided all

required information indicated on the Borough of Fort Lee's Checklists for Development Applications adopted herein and annexed hereto (see Appendix A to Chapter 261 of the General Ordinances of the Borough of Fort Lee).

- B. The Planning Administrator shall be authorized to reject an application as incomplete, if any required information indicated on the Borough of Fort Lee's Checklists for Development Applications adopted herein and annexed hereto (see Appendix A to Chapter 261 of the General Ordinances of the Borough of Fort Lee) has not been included as part of the application and no waiver for those required information items has been requested pursuant to paragraph D of this section.
- C. In the event that the Planning Administrator does not certify the application to be complete within forty-five (45) days of the date of its submission, the application shall be deemed complete upon the expiration of the forty-five (45) day period for the purposes of commencing the applicable time period unless:
1. The application lacks information indicated on the Borough of Fort Lee's Checklists for Development Applications adopted herein and annexed hereto (see Appendix A to Chapter 261 of the General Ordinances of the Borough of Fort Lee), *and*
 2. The Planning Administrator has notified the applicant, in writing, of the deficiencies in the application within forty-five (45) days of the submission of the application.
- D. The applicant may request that one (1) or more of the submission requirements be waived. The Planning Administrator shall not make a completeness determination until the Planning Board or the Zoning Board of Adjustment has considered the waiver request(s). The Planning Board or the Zoning Board of Adjustment shall grant or deny the request(s) within forty-five (45) days from the date of submission. The Planning Administrator shall make a completeness determination based on all non-waived information items. The granting of a waiver shall not be construed as diminishing the applicant's obligation to prove in the application process that he is entitled to approval of the application.
- E. After an application has been determined to be complete, the Planning Administrator shall schedule the application for consideration at a hearing of the Planning Board or the Zoning Board of Adjustment.
- F. In reviewing an application, the Planning Board or Zoning Board of Adjustment may require the correction of any information found to be in error or the submission of additional information not specified in the Checklists for Development Applications as are reasonably necessary to make an informed decision on the application. The application shall not be deemed incomplete for lack of any such additional information.
- C. **Delete the following sections of Chapter 261.**
- §261-19 Appeals and Applications (Chapter 261, Article II), paragraphs B and D
 - §261-29 Fees
- D. **Add the following appendix to Chapter 261.**

CHAPTER 261, APPENDIX A: CHECKLISTS FOR DEVELOPMENT APPLICATIONS

- A. All applicants before the Planning Board or Zoning Board of Adjustment shall provide all information requested in Application Checklist Form A. In addition to Form A, applicants shall also provide the following:
1. Information requested in Form B, if the applicant is submitting a Minor Site Plan application.
 2. Information requested in Form C, if the applicant is submitting a Minor Subdivision application.
 3. Information requested in Form D, if the applicant is submitting a Preliminary Major Site Plan application.
 4. Information requested in Form E, if the applicant is submitting a Preliminary Major Subdivision application.
 5. Information requested in Form F, if the applicant is submitting a Final Major Site Plan application.
 6. Information requested in Form G, if the applicant is submitting a Final Major Subdivision application.
 7. Information requested in Form H, if the applicant is submitting a "c" Variance or "d" Variance application.
- B. The applicant or its authorized representative shall complete the appropriate forms and submit them with the application materials.
1. For each item of information listed in each form, the applicant shall indicate whether the information has been provided or whether a waiver has been requested by placing a check mark in the appropriate column.
 2. Some information items may not be applicable to every application. For such items, the applicant is given the option to "check here [] if not applicable" on the checklist. If no such option is provided, the applicant must either provide the required information or request a waiver pursuant to paragraph 1 above.
 - a. If the "not applicable" box is checked off, the Planning Administrator shall make a determination as to whether the item is applicable to the application.
 - b. If the Planning Administrator determines that the item is applicable to the application, then the information item will be marked as missing. If the Planning Administrator determines that the item is not applicable, then the information item will be considered not to be required, and its omission will not be cause for a determination of incompleteness.
- C. If the applicant would like to request a waiver from any of the information items on any form, a written request must be attached to the form and submitted with the application materials. The written request must indicate the information item for which the waiver is being requested and the reasons why the applicant feels the waiver is justified.
- D. The applicant shall submit twenty (20) copies of all required checklists and information items.
- E. Failure to submit the required information may result in a determination of incompleteness by the approving authority.

APPLICATION CHECKLIST: FORM A

All Applications

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

<u>Items Required</u>	<u>Provided</u>	<u>Waiver Requested</u>
1. Required Application Form.	[]	[]

Items Required	Provided	Waiver Requested
2. Required Fees and Escrow Agreement.	<input type="checkbox"/>	<input type="checkbox"/>
3. Certification of Taxes Paid. From Borough Tax Collector.	<input type="checkbox"/>	<input type="checkbox"/>
4. Affidavit of Ownership. If the applicant is not the owner of the site, the applicant's interest in the site must be described (e.g., tenant, contract/ purchaser, lien holder, etc.), and written permission of the property owner(s) allowing the applicant to file the application must be submitted. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>
5. Corporation or Partnership Owners. If applicant is a corporation or partnership applying for permission to subdivide a parcel of land into six (6) or more lots, or applying for a variance to construct a multi-family dwelling of twenty-five (25) or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least ten percent (10%) of its stock of any class or at least ten percent (10%) of the interest in the partnership, as required by N.J.S.A.40:55D-48.1 and 48.2. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>
6. Inspection Permission. A statement from the property owner granting permission for the reviewing body and any of its experts to enter the subject premises for purposes of inspection in relation to the development application.	<input type="checkbox"/>	<input type="checkbox"/>
7. Waiver Requests. Statements requesting a waiver from any information item called for in Forms A through H, together with a statement of reasons why same should be granted. These must be provided if any item in the "waiver requested" column is checked off. <i>Check here <input type="checkbox"/> if not applicable (i.e., if no waivers are being requested).</i>	<input type="checkbox"/>	
8. County Application. If approval from the Bergen County Planning Board is required for any reason and an application for approval has been made, a copy of the application submitted to the Bergen County Planning Board must be attached. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>
9. Wetlands Documentation. One of the following must be provided. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>
a. A letter of interpretation from the New Jersey Department of Environmental Protection (NJDEP);	<input type="checkbox"/>	
b. A letter of exemption from the NJDEP;	<input type="checkbox"/>	
c. A copy of any application made to the NJDEP for any permit concerning a proposed regulated activity in or around freshwater wetlands; or	<input type="checkbox"/>	
d. Documentation from a qualified professional demonstrating that no wetlands exist on the site and that no wetlands exist on adjacent properties that would affect or limit development on the site.	<input type="checkbox"/>	
10. Additional Forms. A complete checklist must be provided for at least one of the following types of development proposals:	<input type="checkbox"/>	<input type="checkbox"/>
a. Form B: Minor Site Plan	<input type="checkbox"/>	<input type="checkbox"/>
b. Form C: Minor Subdivision	<input type="checkbox"/>	<input type="checkbox"/>

Items Required	Provided	Waiver Requested
c. Form D: Preliminary Major Site Plan	<input type="checkbox"/>	<input type="checkbox"/>
d. Form E: Preliminary Major Subdivision	<input type="checkbox"/>	<input type="checkbox"/>
e. Form F: Final Major Site Plan	<input type="checkbox"/>	<input type="checkbox"/>
f. Form G: Final Major Subdivision	<input type="checkbox"/>	<input type="checkbox"/>
g. Form H: "c" Variance(s) or "d" Variance(s)	<input type="checkbox"/>	<input type="checkbox"/>
11. Copy of Tax Map Sheet. Showing the site and its existing block and lot numbers.	<input type="checkbox"/>	<input type="checkbox"/>
12. Key Map. The map shall show the location of the subject site in relation to the surrounding area(s), within at least 200 feet of the site's boundaries. The map shall include the following components:	<input type="checkbox"/>	<input type="checkbox"/>
a. Title block, containing the names of the applicant(s), owner(s), and preparer(s), block and lot numbers, street address, date prepared, and date of last amendment.	<input type="checkbox"/>	<input type="checkbox"/>
b. Space for Borough signatures.	<input type="checkbox"/>	<input type="checkbox"/>
c. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	<input type="checkbox"/>	<input type="checkbox"/>
d. North arrow.	<input type="checkbox"/>	<input type="checkbox"/>
e. The existing property lines of the subject site and of adjacent properties within 200 feet of the site, with dimensions of same.	<input type="checkbox"/>	<input type="checkbox"/>
f. The location and width of any street right-of-ways abutting the property or within 200 feet of the site.	<input type="checkbox"/>	<input type="checkbox"/>
g. Name, license number, signature, and seal of the qualified professional who prepared the map.	<input type="checkbox"/>	<input type="checkbox"/>
13. Zoning Map. Zoning district(s) in which the site is located, and the district(s) of adjacent properties within 200 feet of the site. This map will also include all information required for the Key Map (see Item #12 above).	<input type="checkbox"/>	<input type="checkbox"/>
14. Existing Features Map. Showing the following aspects of the site and its surroundings. This map will also include all information required for the Key Map (see Item #12 above).	<input type="checkbox"/>	<input type="checkbox"/>
a. Location of existing easements or rights-of-way (including streets, railroads, and utilities) within 200 feet of the site. Street names shall be shown on the map.	<input type="checkbox"/>	<input type="checkbox"/>
b. Location of natural features within 200 feet of the site, including existing grade and contour information, woodlands, streams and other watercourses, ponds and other water bodies, wetlands, flood hazard areas, and rock outcrops.	<input type="checkbox"/>	<input type="checkbox"/>
c. Location of existing buildings or all other structures on the site and on adjacent properties within 200 feet of the site, and their setbacks from existing property lines. Structures to be shown include, but are not limited to, walls, fences, culverts, bridges, roadways, utility towers, free-standing signs, etc.	<input type="checkbox"/>	<input type="checkbox"/>

Items Required	Provided	Waiver Requested
d. Location of existing parking, loading, driveways, sidewalks, landscaping, and free-standing signs on the site and on adjacent properties within 200 feet of the site.	<input type="checkbox"/>	<input type="checkbox"/>
e. Location of any sites, structures, or districts on the site or within 200 feet of the site that are listed on the National or State Registers of Historic Places.	<input type="checkbox"/>	<input type="checkbox"/>
f. Location of underground infrastructure on the site, including storage tanks, wells, septic systems, and connections to public water or sewer lines, and dimensions of same.	<input type="checkbox"/>	<input type="checkbox"/>
15. Photographs. Submission of photographs of existing conditions on and around the site, including but not limited to structures, street frontage, open space, signs, lighting, landscaping, parking lots, etc.	<input type="checkbox"/>	<input type="checkbox"/>
16. Protective Covenants or Deed Restrictions. A copy of any such covenants or restrictions affecting the site shall be provided. If none exist, an affidavit from the property owner(s) certifying that no such covenants or restrictions exist shall be submitted.	<input type="checkbox"/>	<input type="checkbox"/>
17. List of Property Owners. A copy of the certified list of property owners within 200 feet of the subject site prepared by the Planning Administrator. Said certified list shall be no more than 90 days old.	<input type="checkbox"/>	<input type="checkbox"/>
18. Borough Environmental Questionnaire. A copy of the completed questionnaire is required of all applicants applying for a permit or variance from the Planning Board or the Zoning Board of Adjustment. The Environmental Questionnaire is included as Appendix C of Chapter 261 (Land Use Procedures) of the General Ordinances of the Borough.	<input type="checkbox"/>	<input type="checkbox"/>
19. Department of Transportation Applications. If the site has access from State roads and approval from the New Jersey Department of Transportation is required for any reason and an application for approval has been made, a copy of the application submitted to the New Jersey Department of Transportation must be attached. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>
20. Other Required Applications and Approvals. A copy of any and all required applications submitted to other governmental or quasi-governmental entities, a statement as to the status of such applications, and a copy of any and all approvals obtained from any such entity. <i>Check here <input type="checkbox"/> if not applicable.</i>	<input type="checkbox"/>	<input type="checkbox"/>

APPLICATION CHECKLIST: FORM B

Minor Site Plan

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

Items Required	Provided	Waiver Requested
1. Development Description. A general description of the proposed development. The description shall include a table of proposed setbacks, lot areas, lot widths, building coverages, lot coverages, building areas, floor area ratios, residential density, number regular and handicapped parking spaces, and gross area of landscaping, and compare these figures to the related zoning requirements. The description shall also include, but not be limited to, the number of housing units, the amount of non-residential floor area, the number of residents and/or employees, the hours of operation, the number and frequency of shipments and deliveries, and the nature of materials and chemicals used on the site.	[]	[]
2. Impact Evaluation. A brief assessment of the effects of the development on the site itself, adjacent properties, the neighborhood, and the Borough as a whole, including but not limited to effects upon the natural environment, land use patterns, traffic and circulation, visual quality, utility service, and drainage.	[]	[]
3. Contour Map. Contours to determine the natural drainage of the land. Intervals shall be two feet up to 10% slope and five feet for more than 10% slopes. This map will also include all information required for the Key Map (see Form A).	[]	[]
4. Proposed Development Map. Showing the following aspects of the proposed development project. This map will also include all information required for the Key Map (see Form A).	[]	[]
a. Location of proposed buildings and their setbacks from property lines.	[]	[]
b. Location of proposed parking, loading, driveways, sidewalks, landscaping, and signs.	[]	[]
c. Location of existing buildings or structures to be removed or demolished, which shall be indicated by dashed lines.	[]	[]
5. Proposed Floor Plans and Elevations. For all proposed buildings and alterations, including but not limited to changes to existing building façades. All floor plans and elevations shall be prepared by a New Jersey licensed architect.	[]	[]
6. Tree Survey and Plan. Pursuant to §156-7 of the Borough's General Ordinances, the applicant shall submit a survey or plot plan of all existing trees on the site and shall identify all trees to be retained or removed, including their species, size, and condition.	[]	[]
7. Signage Plan. The height, size, materials, and type of construction for all signs shall be illustrated in scale drawings.	[]	[]

APPLICATION CHECKLIST: FORM C

Minor Subdivision

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

Items Required	Provided	Waiver Requested
1. Subdivision Description. A general description of the proposed subdivision, including:	[]	[]
a. The proposed use(s) of the subdivided lots.	[]	[]
b. A table of lot areas and lot widths compared to the related zoning requirements.	[]	[]
c. An estimate of the maximum potential building coverage, lot coverage, building area, floor area ratio, residential units, and residential density, based on the zoning requirements.	[]	[]
2. Impact Evaluation. A detailed assessment of the effects of the development on the site itself, adjacent properties, the neighborhood, and the Borough as a whole. The number of residents and/or employees who will occupy or use the site will be estimated. The analysis shall examine the effects upon the natural environment, land use patterns, traffic and circulation, visual quality, utility service, and drainage. It will also examine any potential safety hazards, any noise, glare, vibration, heat, odor, or air and water pollution associated with the use(s).	[]	[]
3. Previous Subdivision Statement. A statement indicating what, if any, subdivisions have affected the site during the five (5) years prior to the date the application was filed.	[]	[]
4. Contour Map. Contours to determine the natural drainage of the land. Intervals shall be 2 feet up to 10% slope and 5 feet for more than 10% slopes. This map will also include all information required for the Key Map (see Form A).	[]	[]
5. Water and Sewer Map. Location of existing wells and septic systems and/or location of connections to public water and sanitary sewer systems. This map will also include all information required for the Key Map (see Form A).	[]	[]
6. Proposed Subdivision Map. Showing the following aspects of the proposed subdivision. This map will also include all information required for the Key Map (see Form A).	[]	[]
a. Location and boundaries of proposed lots, and the dimensions of same.	[]	[]
b. The required front, side, and rear setback lines of each proposed lot, showing the resulting building envelope.	[]	[]
c. The location and boundaries of any property to be owned in common and/or property to be deeded to a public or non-profit entity.	[]	[]
d. All proposed streets, easements, and right-of-ways, if any, and the dimensions of same.	[]	[]
7. Soil Erosion and Sedimentation Control Plan. If required, pursuant to P.L. 1975, c. 251.	[]	[]
8. Tree Survey and Plan. Pursuant to §156-7 of the Borough's General Ordinances, the applicant shall submit a survey or plot plan of all existing trees on the site and shall identify all trees to be retained or removed, including their species, size, and condition.	[]	[]

<u>Items Required</u>	<u>Provided</u>	<u>Waiver Requested</u>
9. Signage Plan. The height, size, materials, and type of construction for all signs shall be illustrated in scale drawings.	[]	[]

APPLICATION CHECKLIST: FORM D

Preliminary Major Site Plan

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

_____ (signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

_____ (signature)

_____ (date)

Items Required	Provided	Waiver Requested
1. Development Description. A general description of the proposed development, including:	[]	[]
a. The proposed use(s) of each building.	[]	[]
b. The number of housing units, the amount of non-residential floor area, and expansion potential incorporated in any building design.	[]	[]
c. A table of proposed setbacks, lot areas, lot widths, building coverages, lot coverages, building areas, floor area ratios, residential density, number of regular and handicapped parking spaces, and gross area of landscaping, compared to the related zoning requirements.	[]	[]
d. The hours of operation of any businesses, the number and frequency of shipments and deliveries, and the nature of materials and chemicals used on the site.	[]	[]
2. Impact Evaluation. A detailed assessment of the effects of the development on the site itself, adjacent properties, the neighborhood, and the Borough as a whole. The number of residents and/or employees who will occupy or use the site will be estimated. The analysis shall examine the effects upon the natural environment, land use patterns, traffic and circulation, visual quality, utility service, and drainage. It will also examine any potential safety hazards, any noise, glare, vibration, heat, odor, or air and water pollution associated with the use(s).	[]	[]
3. Contour Map. Contours to determine the natural drainage of the land. Intervals shall be 2 feet up to 10% slope and 5 feet for more than 10% slopes. This map will also include a title block, scale, north arrow, site boundaries, and abutting streets, as required for the Key Map (see Form A).	[]	[]
4. Proposed Development Map. Showing the following aspects of the proposed development project. This map will also include all information required for the Key Map (see Form A).	[]	[]
a. Location of proposed buildings and structures, including dimensions of same, and showing setbacks from front, side, and rear property lines.	[]	[]
b. Location of proposed parking, loading, driveways and other vehicular circulation areas, sidewalks, and dimensions of the same.	[]	[]
c. Location of any proposed easements or right-of-ways, if any, and the dimensions of same, to a minimum distance of 200 feet beyond the tract boundaries.	[]	[]
d. Location of proposed signs, fences, walls, and similar improvements.	[]	[]
e. Location and boundaries of any property to be owned in common, and/or property to be deeded to a public or non-profit entity.	[]	[]
f. Location of landscaping areas, and dimensions of same.	[]	[]
g. Location of disposal containers, recycling containers, and monitoring wells, if such wells are required.	[]	[]

Items Required	Provided	Waiver Requested
5. Floor Plans and Elevations. These shall be provided for all existing and proposed buildings, except for existing buildings that are proposed for complete demolition. Floor plans shall show the use and layout of all internal space, and elevations shall show front, side, and rear building façades, both at a scale not exceeding eight (8) feet per inch. Floor plans and elevations shall be prepared by a New Jersey licensed architect.	[]	[]
6. Proposed Spot Elevations. Measured at the corners of all buildings and in appropriate pavement locations if new buildings or paved areas are proposed, or if re-grading near existing buildings is proposed.	[]	[]
7. Design Plan. The height, size, materials, and type of construction for all fences, walls, outdoor lighting, disposal containers, recycling containers, and monitoring wells shall be illustrated in scale drawings. For outdoor lighting, the height and location of fixture(s), the type of fixture(s) and bulb(s), and pole material shall be illustrated as well. Sign illumination shall be illustrated. An isocandela diagram superimposed upon the site plan shall be provided.	[]	[]
8. Signage Plan. The height, size, materials, and type of construction for all signs shall be illustrated in scale drawings.	[]	[]
9. Utility Service Plan. A description of proposed utility infrastructure, connections, and service, including septic systems. Connections to sewer, public water, fire hydrants, electricity, cable, natural gas, telephone, etc. shall be mapped.	[]	[]
10. Storm Drainage Plan. A description of the proposed storm drainage design and improvements, and a map showing the entire drainage area, the drainage area contributing to each pertinent drainage structure, and drainage tabulation sheets showing calculations for each drainage area. Provisions for rooftop drainage shall also be shown.	[]	[]
11. Landscaping Plan. Information shall include the location and number of plants, common and botanical names, planted size and root specifications.	[]	[]
12. Soil Erosion and Sedimentation Control Plan. If required, pursuant to P.L. 1975, c. 251.	[]	[]
13. Construction Details and Specifications. These shall be sufficient to illustrate the nature of site improvements, including but not limited to paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, light fixtures and standards, and signs.	[]	[]
14. Temporary Construction Site Plan. Location of all proposed trailers, warehousing, storage facilities, and temporary contractor's offices shall be shown on a map. These shall be carefully located with consideration to the proximity of adjoining landowners or the passing public. The description shall indicate how the contractor will maintain these structures and storage areas during construction.	[]	[]
15. Construction Work and Phasing Plan. Detailed plan indicating proposed construction sequences, routes to and from the construction site, construction methods, hours of operation, construction traffic control plans, temporary construction office locations, and any other construction-related plans.	[]	[]

<u>Items Required</u>	<u>Provided</u>	<u>Waiver Requested</u>
16. Tree Survey and Plan. Pursuant to §156-7 of the Borough's General Ordinances, the applicant shall submit a survey or plot plan of all existing trees on the site and shall identify all trees to be retained or removed, including their species, size, and condition.	[]	[]
17. Traffic Study. At the minimum, this shall include an analysis of trip generation and estimated increases in traffic volumes for adjacent streets and intersections above current levels. Estimates shall be broken out by average weekday morning peak hour, average weekday evening peak hour, and average Saturday peak hour. The traffic study may be submitted as part of the impact evaluation (see Item #2 above).	[]	[]

APPLICATION CHECKLIST: FORM E

Preliminary Major Subdivision

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

_____ (signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

_____ (signature)

_____ (date)

Items Required	Provided	Waiver Requested
7. Soil Erosion and Sedimentation Control Plan. If required, pursuant to P.L. 1975, c. 251.	[]	[]
8. Landscaping Plan. Number and description of proposed street trees and description of reforestation and landscaping. Information shall include common and botanical names, planted size, and root specification. Design of proposed fences, walls, outdoor lighting, signs, and similar improvements shall be included.	[]	[]
9. Construction Details and Specifications. These shall be sufficient to illustrate the nature of site improvements, including but not limited to paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, light fixtures and standards, and signs.	[]	[]
10. Construction Work and Phasing Plan. Detailed plan indicating proposed construction sequences, routes to and from the construction site, construction methods, hours of operation, construction traffic control plans, temporary construction office locations, and any other construction-related plans.	[]	[]
11. Tree Survey and Plan. Pursuant to §156-7 of the Borough's General Ordinances, the applicant shall submit a survey or plot plan of all existing trees on the site and shall identify all trees to be retained or removed, including their species, size, and condition.	[]	[]
12. Signage Plan. The height, size, materials, and type of construction for all signs shall be illustrated in scale drawings.	[]	[]
13. Traffic Study. At the minimum, this shall include an analysis of trip generation and estimated increases in traffic volumes for adjacent streets and intersections above current levels. Estimates shall be broken out by average weekday morning peak hour, average weekday evening peak hour, and average Saturday peak hour. The traffic study may be submitted as part of the impact evaluation (see Item #2 above).	[]	[]

APPLICATION CHECKLIST: FORM F

Final Major Site Plan

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

Items Required	Provided	Waiver Requested
1. All Items Required for Preliminary Major Site Plans. Pursuant to Form D. The items provided during the Preliminary Major Site Plan application phase shall be updated to reflect any modifications in the development plan. Information must be provided sufficient to demonstrate that all of the conditions of Preliminary Major Site Plan approval have been satisfied.	[]	[]
2. Street or Driveway Map. On a map, the radius and central angle of all arcs and curves along all street or driveway lines shall be provided.	[]	[]
3. Surveyor's Certification. A certification from a licensed surveyor as to the accuracy of the details on the plat and as to compliance with provisions of the Map Filing Law.	[]	[]
4. Engineer Certification. A certification from the licensed engineer who prepared the plans that all of the information furnished is correct and accurate.	[]	[]
5. Borough Engineer's Statement. A statement from the Borough Engineer indicating that these are the plans approved by the Planning Board or Zoning Board of Adjustment as per the relevant date of approval.	[]	[]
6. Borough Statement Regarding Public Improvements. A statement from the Borough Engineer that he has received a map showing all utilities in exact location and elevation identifying those portions already installed and those to be installed, and that the developer has installed all improvements in accordance with all Borough regulations, and/or a statement by the Borough Clerk that proper performance guarantees have been posted with the Borough Council for the installation of required improvements.	[]	[]
7. Utility Approval. Current letter from each utility company stating that they will provide service to the site.	[]	[]

APPLICATION CHECKLIST: FORM G

Final Major Subdivision

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

APPLICATION CHECKLIST: FORM H

"c" Variance or "d" Variance

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____ (name)

(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): _____

Property Address: _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Name of Attorney: _____

Mailing Address: _____

Phone: _____

Checklist Prepared By: _____ (name)

(signature)

(date)

PLEASE NOTE: If the variance application is part of a site plan or subdivision application, the information submitted in the site plan or subdivision application may also be used to fulfill the requirements of this checklist.

Items Required	Provided	Waiver Requested
1. Development Description. A general description of the proposed development, including:	[]	[]
a. The proposed use(s) of each building.	[]	[]
b. The number of housing units, the amount of non-residential floor area, and expansion potential incorporated in any building design.	[]	[]
c. A table of proposed setbacks, lot areas, lot widths, building coverages, lot coverages, building areas, floor area ratios, residential density, number of regular and handicapped parking spaces, and gross area of landscaping, compared to the related zoning requirements.	[]	[]
d. The hours of operation of any businesses, the number and frequency of shipments and deliveries, and the nature of materials and chemicals used on the site.	[]	[]
2. Impact Evaluation. A detailed assessment of the effects of the development on the site itself, adjacent properties, the neighborhood, and the Borough as a whole. The number of residents and/or employees who will occupy or use the site will be estimated. The analysis shall examine the effects upon the natural environment, land use patterns, traffic and circulation, visual quality, utility service, and drainage. It will also examine any potential safety hazards, any noise, glare, vibration, heat, odor, or air and water pollution associated with the use(s).	[]	[]
3. Proposed Development Map. Showing the following aspects of the proposed development project. This map will also include all information required for the Key Map (see Form A).	[]	[]
a. Location of proposed buildings and structures, including dimensions of same, and showing setbacks from front, side, and rear property lines.	[]	[]
b. Location and layout of proposed parking, loading, driveways and other vehicular circulation areas, sidewalks, bicycles paths or lanes, and dimensions of the same.	[]	[]
c. Location of any proposed easements or right-of-ways, if any, and the dimensions of same, to a minimum distance of 200 feet beyond the tract boundaries.	[]	[]
d. Location of proposed signs, fences, walls, and similar improvements. If no signs are proposed, a statement indicating same shall be submitted.	[]	[]
e. Location of landscaping areas, and dimensions of same.	[]	[]
f. Location of disposal containers, recycling containers, and monitoring wells, if such wells are required.	[]	[]
4. Floor Plans and Elevations. If new buildings, expansion of existing buildings, or interior renovations are proposed, floor plans for existing and proposed buildings shall be submitted. Floor plans shall show the use and layout of internal space, and elevations shall show front, side, and rear building façades, both at a scale not exceeding eight (8) feet per inch. Floor plans and elevations shall be prepared by a New Jersey licensed architect.	[]	[]
5. Design and Signage Plan. The height, size, materials, and type of construction for all signs, fences, walls, outdoor lighting, disposal containers, recycling containers, and monitoring wells shall be illustrated in scale drawings.	[]	[]

E. Add the following appendix to Chapter 261.

CHAPTER 261, APPENDIX B: FEES AND ESCROW FUNDS

- A. All applicants before the Planning Board or Zoning Board of Adjustment shall be required to submit application fees and establish an escrow account with the Borough in accordance with fee and escrow schedules herein.
1. In the event that an application is revised, the applicant shall be required to re-pay all application fees and replenish the escrow account to the level required to consider the revised application.
 2. In the event that an application is withdrawn, application fees are non-refundable, but any escrow funds remaining at the time of withdrawal shall be returned to the applicant. If the same application is re-submitted at a later time, the applicant shall be required to re-pay all application fees and establish a new escrow account.
 3. Applications requiring a combination of approvals (i.e., such as preliminary major site plan final site plan, and variance) shall pay application fees and escrow funds equaling the total of the fees and funds for each component part, except as provided in paragraph D(9) below.
- B. All application fees and escrow funds shall be paid in cash, certified check, attorney's check, or money order made payable to the Borough of Fort Lee. Application fees and escrow funds shall be paid to the Borough with separate certified checks or money orders. Along with the application fees and escrow funds, the applicant shall submit a letter breaking out the totals into its component parts, pursuant to paragraphs D and E below.
- C. Escrow funds shall be placed in an escrow account by the Chief Financial Officer. Such funds shall be used to pay the Board's Attorney, Professional Engineer, Professional Planner, Traffic Engineer, and other experts deemed necessary to review and comment on the application.
1. Said experts shall submit vouchers to the Borough for all reasonable and necessary fees for review of the application, which fees shall be paid from the escrow account in a manner prescribed in N.J.S.A. 40:55D-53.2.c. and N.J.S.A. 40A:5-16 through 40A:5-18.
 2. The Chief Financial Officer shall, pursuant to N.J.S.A. 40:55D-53.2.c., prepare and send to the applicant a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements, and the cumulative balance of the escrow account.
 3. Any moneys left in the escrow account upon completion of the application procedure shall be returned to the applicant as soon as possible.
 4. If an escrow account contains insufficient funds to enable the Planning Board or Zoning Board of Adjustment to perform the required application reviews, the Chief Financial Officer shall provide the applicant with a notice of the insufficient escrow balance, pursuant to N.J.S.A. 40:55D-53.2.c. In order for the application reviews to continue, such additional funds as necessary shall be paid by the applicant within a reasonable time period and placed in the appropriate account.
- D. Application fee schedule.
1. Applications for minor site plans: \$200.00
 2. Applications for preliminary major site plans: \$300.00, plus \$5.00 for every 1,000 square feet of proposed new or renovated building floor area.

3. Applications for final major site plans: \$200.00
 4. Applications for minor subdivisions: \$100.00, plus \$100.00 per lot
 5. Applications for preliminary major subdivisions \$300.00
 6. Applications for final major subdivisions \$100.00, plus \$50.00 per lot
 7. Applications for "c" variance(s):
 - a. Applications relating to properties whose principal use is a single-family home: \$100.00
 - b. All other applications: \$300.00
 8. Applications for "d" variance(s):
 - a. Applications relating to properties whose principal use is a single-family home: \$200.00
 - b. All other applications: \$400.00
 9. Total application fees for any individual application shall not exceed \$6,000.00.
- E. Escrow fund schedule.
1. Applications for minor site plans: \$1,000.00 for the first 20,000 square feet of lot area, plus \$250.00 per each additional 10,000 square feet of lot area or portion thereof
 2. Applications for preliminary major site plans: \$2,500.00 for the first 20,000 square feet of lot area, plus \$500.00 per each additional 10,000 square feet of lot area or portion thereof
 3. Applications for final major site plans: \$1,000.00 for the first 20,000 square feet of lot area, plus \$250.00 per each additional 10,000 square feet of lot area or portion thereof
 4. Applications for minor subdivisions: \$1,000.00
 5. Applications for preliminary major subdivisions: \$2,500.00 for subdivisions of up to ten lots, plus \$250.00 per every five lots over the first ten lots
 6. Applications for final major subdivisions \$1,000.00
 7. Applications for "c" or "d" variance(s): \$500.00

F. Add the following appendix to Chapter 261.

CHAPTER 261, APPENDIX C: ENVIRONMENTAL QUESTIONNAIRE

BOROUGH OF FORT LEE ENVIRONMENTAL QUESTIONNAIRE

THIS QUESTIONNAIRE IS TO BE COMPLETED BY ALL APPLICANTS APPLYING FOR A PERMIT/VARIANCE FROM THE BOARD OF ADJUSTMENT OR THE PLANNING BOARD OF THE BOROUGH OF FORT LEE. IT IS TO BE RETURNED WITH THE APPLICATION.

Name of Applicant: _____ Date: _____

Applicant Address: _____

Block and Lot: _____ Fort Lee File: _____

PREAMBLE: The applicant has a legal responsibility to answer all questions truthfully and completely to the best of the applicant's knowledge and information

If any of the following questions are answered YES or OTHER, explain briefly with the addition of another piece of paper if necessary.

1. Is the site location in an environmentally critical area?
YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

2. Is the site located in or adjacent to a wetlands area?
YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

3. Does the new project require the removal of any trees of four (4) inch diameter at a height of six (6) inches above ground level?
YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):
State how many and species of trees and location on site. If it is a woodland area, give area and tree density.

4. Does the new project require the removal of ornamental shrubs?
YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

5. Does the applicant plan to relocate the trees and shrubs of item 3 and 4?
YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

17. Will the operation of the project exceed standard noise code levels?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

18. Will the operation of the project increase the present light intensity levels?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

19. Will the operation of the project produce odors?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

20. Will the project impact on, or be in violation of the Fort Lee Master Plan and/or current zoning in the area?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

21. Is the area of the project currently served by public utilities such as: electric, gas, water?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

22. Has the site of the project ever been used for storage and disposal of hazardous materials or toxic substances or dangerous chemicals?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

23. Is the site for the project proposed for the use, storage or manufacture of hazardous materials, toxic substances or dangerous chemicals?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

24. Will the project require the removal or installation of a new septic system or other liquid waste facility?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

25. Will the height of the proposed structure(s) be higher than the surrounding buildings?

YES ___ NO ___ OTHER ___ Explain (for YES/OTHER only):

A. State how much higher:

B. How close is the project to a major highway? (Specify Highway)

- C. How will it affect the wind pattern?
 - D. How will it affect the concentration and escape of polluted air from adjacent major highways?
26. What will be the use of this project and what size will it be? (such as: residential 4 family, shopping mall 24 stores, etc.)
27. Please list any material and number of pages attached to the Environmental Questionnaire:

Section II. Chapter 345, "Site Plan Review," of the General Ordinances of the Borough of Fort Lee be and is hereby amended as follows:

A. Add the following definitions to Chapter 345.

§345-5. Definitions (Chapter 345, Article II)

SITE PLAN, MAJOR - Any development plan for one (1) or more lots that does not meet the definition of a minor site plan, as defined herein.

SITE PLAN, MINOR - Any development plan of one (1) or more lots that (a) does not involve planned development, any new street, or the extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42; and (b) proposes development that would require not more than ten (10) new parking spaces over and above the existing permitted spaces on the site, pursuant to the Borough's zoning requirements; and (c) proposes development of not more than five hundred (500) square feet of new building floor area; and (d) proposes interior repairs, alterations, or renovations of not more than five hundred (500) square feet of floor area in an existing building.

B. Delete the following sections of Chapter 345.

- §345-17 Information to be Indicated on Site Plan (Chapter 345, Article V - Site Plan Details)
- §345-18 Legends on Site Plan (Chapter 345, Article V - Site Plan Details)
- §345-30 Acceptance of application (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-31 Application forms (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-32 Required number of maps and reports (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-33 Application fees and escrow funds (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-35 Formal acceptance by municipal agency (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-36 Determination of noncompliance (Chapter 345, Article VIII - Site Plan Approval Procedures)
- §345-50. Application fees (Chapter 345, Article IX)
- §345-51. Escrow funds (Chapter 345, Article IX)

Section III. Chapter 365, "Subdivision of Land," of the General Ordinances of the Borough of Fort Lee be and is hereby amended as follows:

Delete the following sections of Chapter 365.

- §365-4 Sketch Plat (Chapter 365, Article II - Plat Details)
- §365-5 Preliminary and Final Plats (Chapter 365, Article II - Plat Details)
- §365-15 Submission of Sketch Plat (Chapter 365, Article IV - Procedure for Minor and Major Subdivision Approval)
- §365-18 Submission of Preliminary Plat of Major Subdivision for Tentative Approval (Chapter 365, Article IV - Procedure for Minor and Major Subdivision Approval)
- §365-32 Fees and costs (Chapter 365, Article VII)

Section IV. Chapter 410, "Zoning," of the General Ordinances of the Borough of Fort Lee be and is hereby amended as follows:

Add the following definition to Chapter 410.

§410-7. Definitions (Chapter 410, Article II)

PLANNING ADMINISTRATOR - A Borough official responsible for the administrative services of the Planning Board and Zoning Board of Adjustment, as designated by ordinance or statute.

Section V. 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 VI. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be determined to govern. All other parts, portions and provisions of Chapters 261, 345, 365, and 410 of the Revised General Ordinances of the Borough of Fort Lee are hereby ratified and confirmed, except where inconsistent with the terms hereof.

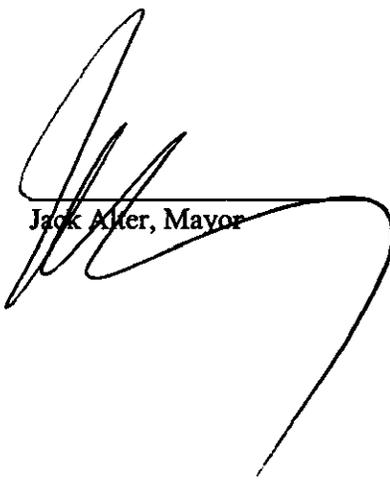
Section VII. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section VIII. A certified copy of the Ordinance upon adoption shall be sent to the Bergen County Planning Board and to all surrounding municipalities.

Attest:

Neil Grant

Neil Grant
Borough Clerk


Jack Alter, Mayor

Introduced	<u>J. CERUSERI</u>	Date of Introduction	<u>May 8, 2003</u>
Seconded	<u>A. POHAN</u>	Public Hearing	<u>June 12, 2003</u>
		Date of Adoption	<u>June 12, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-15

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388,
SECTION 53, OF THE BOROUGH OF FORT LEE CODE ENTITLED
"VEHICLES AND TRAFFIC - SCHEDULE IX: STOP INTERSECTIONS"**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. Chapter 388, Section 53, of the Fort Lee Code Entitled "Vehicles and Traffic - Schedule IX: Stop Intersections", be and the same is hereby amended and supplemented by the addition thereto of the following:

Old Palisade Road

1. Stop Sign shall be installed at 200 Old Palisade Road eastbound at garage entrance/exit.
2. Stop Sign shall be installed at 100 Old Palisade Road westbound at exit of driveway
3. Stop Sign shall be installed at 100 Old Palisade Road westbound forty (40) feet further than stop sign two (2) sited above.

Section II. All other parts, portions and provisions of Chapter 388 of the Fort Lee Code entitled "Vehicles and Traffic - Schedule IX: Stop Intersections" be and the same are hereby ratified and confirmed, except where inconsistent herewith. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

Section III. The provisions of this Ordinance are hereby declared to be severable; should any section or portion thereof be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

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

ATTEST:

Neil Grant
Neil Grant, Borough Clerk

Jack Alter, Mayor

Introduced	J. Cervieri	Date of Introduction	May 22, 2003
Seconded	J. Voss	Public Hearing	June 12, 2003
		Date of Adoption	June 12, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-16

**ORDINANCE VACATING A CERTAIN PORTION OF
PROSPECT STREET IN THE BOROUGH OF FORT LEE.**

WHEREAS, it has been determined by the governing body of the Borough of Fort Lee that a certain portion of Prospect Street is no longer needed for public use and may be vacated; and

WHEREAS, that portion of Prospect Street no longer needed for public use is as more particularly described in the legal description set forth in Sections IV and V; and

WHEREAS, said portion of Prospect Street is no longer needed for public street or highway use within the Borough of Fort Lee; and

WHEREAS, the best interests of the public would be served by releasing and vacating the described portion of Prospect Street and causing this property to be added to the tax rolls of the municipality;

NOW, THEREFORE,

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. That portion of Prospect Street, as described in Sections IV and V, is hereby vacated as a public street and the rights of the public are hereby released and extinguished therefrom, except as hereinafter provided.

Section II. The vacation of Prospect Street as set forth in herein is subject to all the rights and privileges presently possessed by all public utilities as defined in N.J.S.A. 48:2-13, et seq., by any cable television company as defined in the Cable Television Act, N.J.S.A. 48:5A-1, et seq., by the Borough of Fort

Lee, the Bergen Utilities Authority, United Water, Verizon, PSE&G and their successors and/or assigns.

Section III. The rights and privileges hereby reserved are those rights and privileges to maintain, repair and replace any and all existing facilities including, but not limited to, such utility lines, including gas, electric, water and telephone, cable line, sanitary and storm sewer systems adjacent to, in, under or over the portion of Prospect Street hereby vacated, as set forth in Sections IV and V.

Section IV. Half of the vacated street, to become a part of Block 6801, Lot 9, is described as follows:

BEGINNING at the intersection of the westerly right-of-way line of Fifth Avenue (50 feet wide) and the northerly right-of-way line of Prospect Street (33 feet wide) and running thence:

A. Along the northerly right-of-way line of Prospect Street, north 52 degrees 33 feet 41" west, 164.26 feet to the true point of **BEGINNING**;

1. Along a line normal to the northerly right-of-way line of Prospect Street, south 37 degrees, 26 feet 19" west, 16.50 feet to a point; thence

2. Along a line parallel to and 16.50 feet from the northerly right-of-way line of Prospect Street, north 52 degrees 33 feet 41" west, 42.96 feet to a point in the easterly right-of-way line of Route 9W; thence

3. Along said right-of-way line of Route 9W, north 21 degrees 56 feet 03" east, 17.12 feet to a point on the northerly right-of-way line of Prospect Street; thence

4. Along said right-of-way line of Prospect Street, south 52 degrees, 33 feet 41" east, 47.54 feet to the true point of **BEGINNING**.

Said tract containing 747 square feet, more or less.

SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein-described premises.

Section V. The other half of the premises, to become part of Block 6802, Lot 6, is described as follows:

BEGINNING at the intersection of the westerly right-of-way line of Fifth Avenue (50 feet wide) and the southerly right-of-way line of Prospect Street (33 feet wide) and running thence:

A. Along the southerly right-of-way line of Prospect Street, north 52 degrees 33 feet 41" west, 172.38 feet to the true point of BEGINNING.

1. Continuing along said right-of-way line, north 52 degrees 33 feet 41" west, 38.13 feet to a point in the easterly right-of-way line of Route 9W; thence

2. Along said right-of-way line of Route 9W, north 14 degrees 37 feet 57" east, 1.94 feet to a point; thence

3. Continuing along the same, north 21 degrees 56 feet 03" east, 15.26 feet to a point; thence

4. Along a line parallel to and 16.50 feet from the southerly right-of-way line of Prospect Street, south 52 degrees 33 feet 41" east, 42.96 feet to a point; thence

5. Along a line normal to the southerly right-of-way line of Prospect Street, south 37 degrees 26 feet 19" west, 16.50 feet to the point of true BEGINNING.

Said tract containing 671 square feet, more or less.

SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein-described premises.

Section VI. The official map of the Borough of Fort Lee be and is hereby amended to reflect the vacation herein enacted, if that map has not heretofore been amended.

Section VII. In accordance with the provisions of N.J.S.A. 40:49-6, the Borough Clerk be and is hereby authorized to publish this ordinance at least 10 days prior to the time fixed for final passage of same, and shall mail a copy to every person whose land may be affected by this Ordinance.

Section VIII. Pursuant to the provision of N.J.S.A. 40:67-21, the Borough Clerk shall file in the Office of the Bergen County Clerk a certified copy of this Ordinance and a copy of proof of publication thereof.

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

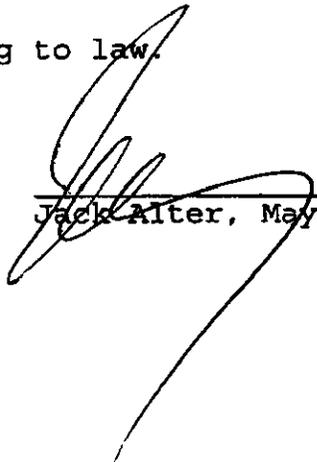
Section X. This Ordinance shall take effect immediately upon

final passage and publication according to law.

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>May 22, 2003</u>
Seconded	<u>J. VOSS</u>	Public Hearing	<u>June 12, 2003</u>
		Postponed to:	<u>June 26, 2003</u>
		Date of Adoption	<u>June 26, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-17

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR DEMOLITION OF THE BUILDING AT 540 MAIN STREET AND RELATED EXPENSES, BY THE BOROUGH OF FORT LEE, APPROPRIATING \$175,000 THEREFOR AND AUTHORIZING \$166,250 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$175,000, including the sum of \$8,750 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has 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 improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$166,250 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. (a) The purpose hereby authorized and the purpose for the financing of which the bonds are to be issued is the demolition of the building located at 540 Main Street, in the Borough of Fort Lee, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough 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 \$166,250 and the issuance of the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$8,750 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 purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes 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.

Section 8. The full faith and credit of the Borough is 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.

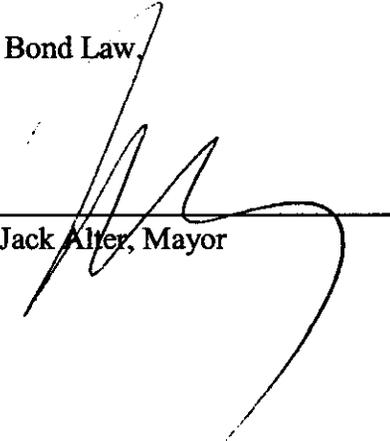
Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard

to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

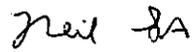
Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

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:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	J. Cervens	Date of Introduction	May 22, 2003
Seconded	J. Voss	Public Hearing	June 12, 2003
		Date of Adoption	June 12, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 410 OF THE FORT LEE CODE ENTITLED "ZONING" SO AS TO REGULATE PLACEMENT AND SCREENING OF ANTENNAS AND ROOFTOP EQUIPMENT

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

Section I: Chapter 410, Section 7 of the Fort Lee Code entitled "Zoning-Definitions" be and the same is hereby supplemented by the addition thereof of the following:

Architectural Screening - A method of visually shielding or obscuring structures, uses or equipment from view by means of walls or fencing.

Mechanical Equipment - Fans, air conditioning equipment, elevator housings, water towers, compressors, heating equipment, wireless telecommunications, equipment cabinets or similar equipment.

Utility Equipment - Electric transformers, switch boxes, telephone pedestals and telephone boxes, cable television boxes, traffic control boxes and similar devices.

Section II: Chapter 410 of the Fort Lee Code entitled "Zoning" be and the same is hereby supplemented by the addition thereto of the following:

Section 410-33.1 Rooftop Mechanical Equipment and Utility Equipment Screening Requirements.

Except on a one-or two- family home, all mechanical equipment and utility equipment located on the roof of any building shall be positioned and/or screened so that said equipment is not visible from any public street nor from any adjacent property. All mechanical equipment and utility equipment shall be:

- A) Set back a sufficient distance from the building edge so as to prevent visibility from all street rights of way and adjacent property, and/or
- B) Enclosed by outer building walls, parapet walls or architectural screening which shall have the same color, texture, quality and materials used on the exterior of the building. Such screening shall form a continuous enclosure around the equipment at least one foot above the highest point of the equipment which is enclosed. The approving authority may, at its discretion, approve screening which uses different colors, textures, or materials if it determines that said screening would be visually compatible with the building.

Section III: Chapter 410, Section 75 of the Fort Lee Code entitled "Zoning-Antennas Definitions", be and the same is hereby supplemented by the addition thereto of the following:

Mounting Equipment - Structures, supports, or other equipment used to attach an antenna to the side or roof of a building or other structure.

RF-Penetrable Material - A material that is opaque to the visible light spectrum but can be penetrated by radio frequency waves.

Section IV: Chapter 410, Section 80(D) of the Fort Lee Code, be and the same is hereby repealed and replaced with the following:

- D) Visibility and screening requirements for antennas and mounting equipment. All antennas and mounting equipment installed on buildings within the Borough of Fort Lee shall be designed to have the least visual impact from all street rights of way and adjacent properties.
 - 1. Antennas and mounting equipment that are attached to a roof shall be sited near the center of the roof, if the roof is flat, or shall be integrated with elements of the roof design so as to minimize visibility from street rights of way and adjacent properties if the roof is pitched. Said equipment shall be set back from the building facade by a distance greater than or equal to the total height of the equipment. All rooftop antennas and mounting equipment shall be fully concealed with architectural screening that matches the color, texture and quality of the building, with the

exception that whip antennas may extend above the screening so long as all mounting equipment is fully screened. All screening shall be constructed of materials that match those used on the exterior of the building, or with RF-penetrable materials of similar texture. In lieu of screening, antennas and mounting equipment may be colored to match the exterior of the building if it can be demonstrated that the antennas and mounting equipment along would be less visually distinct from the building than the architectural screening that would otherwise be required.

- 2) Antennas and mounting equipment that are attached to the side of a building shall be integrated with architectural elements on the building, such as window design or decorative features, or shall be screened by siding or other materials matching the building exterior or shall otherwise elements of utilize design, material, shape and color so as not to be visibly distinct from the building exterior.
- E) Rooftop mechanical equipment and utility equipment. All rooftop mechanical and utility equipment shall conform with the visibility and screening requirements in 410-33.1.

Section V: All other part, portions and provisions of Chapter 410, be not inconsistent with the terms hereof, be and the same are hereby ratified and confirmed. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

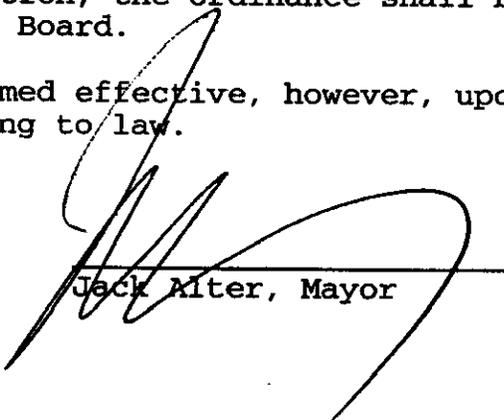
Section VI: The Ordinance shall be referred to the Planning Board of the Borough of Fort Lee in accordance with law. Thereafter, and upon final adoption, the Ordinance shall be filed with the Bergen County Planning Board.

The Ordinance shall be deemed effective, however, upon final passage and publication according to law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>A. PONDAN</u>	Date of Introduction	<u>June 12, 2003</u>
		Public Hearing	<u>June 26, 2003</u>
Seconded	<u>M. VILLANO</u>	Date of Adoption	<u>June 26, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-19

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:

Placement of handicapped parking spaces in front of 1232A Inwood Terrace and 2215 Center Avenue

"388-69: Along the west curb line of Inwood Terrace beginning at the point 217 feet south of south curb apex of Palisade Boulevard and Inwood Terrace, and continuing 20 feet south of same point.

"388-69: Along the west curb line of Center Avenue, beginning at the point 85 feet south of the south curb apex of Lincoln Avenue and Center Avenue, and continuing 22 feet south of same point.

Section II: Chapter 388, Section 69, Schedule XXII, is hereby amended and supplement so as to delete the following as a handicapped parking space:

n. 319 Main Street - North Side

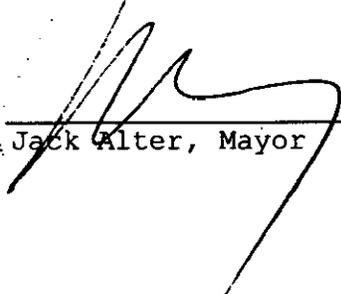
Beginning at a point 235 feet from the northwest corner of Center Avenue, west, extending to a point 25 feet westerly thereof.

Section III: 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.

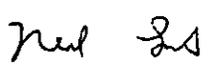
Section III: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:



Jack Alter, Mayor



Neil Grant, Borough Clerk

Introduced	<u>J Cervini</u>	Date of Introduction	<u>June 26, 2003</u>
Seconded	<u>A. Pohan</u>	Public Hearing	<u>July 24, 2003</u>
		Date of Adoption	<u>July 24, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-20

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

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:

Placement of handicapped parking space near 3040 Edwin Avenue

"388-69: Along the east curb line of Edwin Avenue, beginning at a point 7 feet 6 inches south of the apex of Edwin Avenue and the south driveway entrance/exit and continuing south along the same line for 20 feet."

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:

Neil Grant

Neil Grant, Borough Clerk

[Signature]
Jack Alter, Mayor

Introduced	<u>J. Gervasi</u>	Date of Introduction	<u>June 26, 2003</u>
Seconded	<u>M. Villano</u>	Public Hearing	<u>July 24, 2003</u>
		Date of Adoption	<u>July 24, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-21

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "NO PARKING"

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

Section I. Chapter 388, Section 43, of the Code of the Borough of Fort Lee, entitled "No Parking" be and the same is hereby amended as follows:

"388-43. North Avenue - Beginning from a point along the south curblineline of North Avenue 132 feet from the apex of the south curblineline of North Avenue and the east curblineline of Rte. 1/9 North and continuing east for a distance of 28 feet along the same curblineline.

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:

Neil Grant

Neil Grant, Borough Clerk

[Signature]

Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>June 26, 2003</u>
Seconded	<u>A. POUAN</u>	Public Hearing	<u>July 24, 2003</u>
		Date of Adoption	<u>July 24, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-22

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52,
SECTION 2, OF THE CODE OF THE BOROUGH OF FORT LEE,
ENTITLED "FILM COMMISSION"**

WHEREAS, the Mayor and Council of the Borough of Fort Lee wishes to amend the composition of the Film Commission,

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

Section I: Chapter 52, Section 2, of the Code of the Borough of Fort Lee, entitled "Film Commission - Members; Composition" be and the same is hereby amended so that same shall hereinafter read as follows:

Section 52.2 Member; Composition

The Commission shall consist of **eight members** appointed by the Mayor and Council of the Borough, who have the following composition: two residents of the Borough, two scholars and/or persons with professional film acumen, which two persons need not be residents of Fort Lee; the Executive Director of the Parking Authority; the Chairperson of the Parking Authority; and the **Director of the Office of Cultural & Heritage Affairs** of the library. In addition to the above seven members, the Council shall appoint one Councilperson as the Council liaison. All members shall serve without compensation.

Section II: All other parts, portions and provisions of Chapter 52 of the Fort Lee Code entitled "Film Commission" be and the same are hereby ratified and confirmed, except where inconsistent herewith. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

Section III: The provisions of this Ordinance are hereby declared to be severable; should any section thereof be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Jack Alter

Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>June 26, 2003</u>
Seconded	<u>A. Pohan</u>	Public Hearing	<u>July 24, 2003</u>
		Date of Adoption	<u>July 24, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-24

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$1,978,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,879,100 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME.

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 or purposes described in Section 3 of this bond ordinance are hereby 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 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,978,000, including the sum of \$98,900 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,879,100 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, 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 or notes are to be issued, the estimated cost of each improvement and the appropriation

therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) (1) Purpose: Purchase of items for the Borough Clerk's Office including a desk for a computer printer, two filing cabinets and blinds, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$5,000
<u>Maximum Amount of Bonds or Notes:</u>	\$4,750
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$250

- (2) Purpose: Purchase of items for the Fire Department including Replacement of Engine/Pumper FL-5, Health Equipment, Rescue Tools, Hydrant Markers and Installation of Remote Tone Knox Box on all Chief's Vehicles and Van One, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$50,000
<u>Maximum Amount of Bonds or Notes:</u>	\$47,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$2,500

- (3) Purpose: Purchase of items for the Fire Prevention Bureau including Computers, a Portable Radio, two (2) Motorola CDM 1550 VHF, Carpet and office furniture and computer module desks, credenzas, files and dividers, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$10,000
<u>Maximum Amount of Bonds or Notes:</u>	\$9,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$500

- (4) Purpose: Renovations to the Senior Citizens Center including carpeting for the first floor and renovations to the second floor, the plans of which are on file in the Borough Clerk's Office, and the purchase of Computers, Tables, Chairs and equipment, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$40,000
<u>Maximum Amount of Bonds or Notes:</u>	\$38,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$2,000

- (5) Purpose: Acquisition of Equipment for the Recreation Department and its facilities, including the Recreation Office, Recreation Center and Youth Center; including purchase folding leg tables and bridge tables, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$3,000
<u>Maximum Amount of Bonds or Notes:</u>	\$2,850
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$150

- (6) Purpose: Purchase of various Emergency Supplies for the Department of Emergency, a complete list is on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$10,000
<u>Maximum Amount of Bonds or Notes:</u>	\$9,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$500

- (7) Purpose: Purchase of a Computer with cable modem for the Department of General Services, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$3,000
<u>Maximum Amount of Bonds or Notes:</u>	\$2,850
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$150

- 8) Purpose: Purchase of equipment for the Police Department, including laptops, back up systems, servers, switches, service plans, licenses, motherboards, monitors, software, supplies, components and four wheel drive vehicles, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$175,000
<u>Maximum Amount of Bonds or Notes:</u>	\$166,250
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$8,750

- (9) Purpose: Purchase of equipment for the Department of Communications a complete listing of which is on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$150,000
<u>Maximum Amount of Bonds or Notes:</u>	\$142,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$7,500

- (10) Purpose: Purchase of a Scanner Program for Plans and Permits and Security Cameras for the Building Department, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$260,000
<u>Maximum Amount of Bonds or Notes:</u>	\$247,000
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$13,000

- (11) Purpose: Repairs and renovations to pump stations, a complete list of which is on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$292,000
<u>Maximum Amount of Bonds or Notes:</u>	\$277,400
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$14,600

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

<u>Appropriation and Estimated Cost:</u>	\$400,000
<u>Maximum Amount of Bonds or Notes:</u>	\$380,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$20,000

(13) Purpose: Purchase of equipment and vehicles for the Department of Public Works/Parks Department, and street sign replacement, per list on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$200,000
<u>Maximum Amount of Bonds or Notes:</u>	\$190,000
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$10,000

(14) Purpose: Allocation for Emergency Sewer Repairs, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$75,000
<u>Maximum Amount of Bonds or Notes:</u>	\$71,250
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$3,750

(15) Purpose: Improvements to various Parks, Playgrounds and museum signs, a complete listing of which is on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$150,000
<u>Maximum Amount of Bonds or Notes:</u>	\$142,500
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$7,500

- (16) Purpose: Purchase of a Pick-Up Truck with plow for the Buildings and Grounds Department, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$30,000
<u>Maximum Amount of Bonds or Notes:</u>	\$28,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$1,500

- (17) Purpose: Renovations to the Public Building and Computer Equipment for the Administration/Finance Department, a complete list of which is on file in the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$125,000
<u>Maximum Amount of Bonds or Notes:</u>	\$118,750
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$6,250

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and

accrued interest, 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 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

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

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.798 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 \$1,879,100 but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 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 several improvements or purposes.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Borough. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion

of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes 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 hereunder shall be reduced to the extent that such funds are so used.

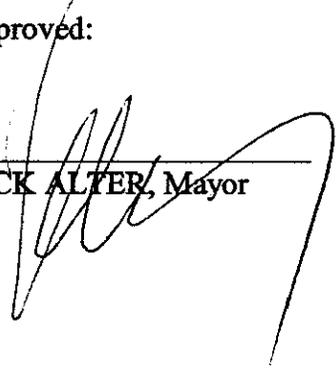
Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad 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 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

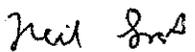
Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Approved:



JACK ALTER, Mayor

Attest:



Neil Grant
Municipal Clerk

Introduced	<u>J CERVIERE</u>	Date of Introduction	<u>July 24, 2003</u>
Seconded	<u>J VOSS</u>	Public Hearing	<u>August 21, 2003</u>
		Date of Adoption	<u>September 11, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-25

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:

Placement of handicapped parking space by 150 Cedar Street

"388-69: Along the south curb line of Cedar Street, beginning at a point 19 feet east of telephone pole #61010FTL and continuing east along the same curb line for an additional 26 feet."

Section II: Chapter 388, Section 69, Schedule XXII, is hereby amended and supplemented so as to delete the following as a handicapped parking space:

y. 253 McCloud Drive - 1 space - front of 253 McCloud Drive

Section III: 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.

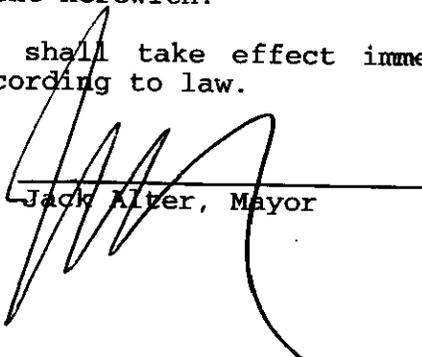
Section IV: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Jack Alter, Mayor

Introduced	J. Cerviere	Date of Introduction	July 24, 2003
Seconded	J. Voss	Public Hearing	August 21, 2003
		Date of Adoption	September 11, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-26

**AN ORDINANCE AMENDING SALARY ORDINANCE #2003-6,
ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES
AND CERTAIN NON-UNION EMPLOYEES**

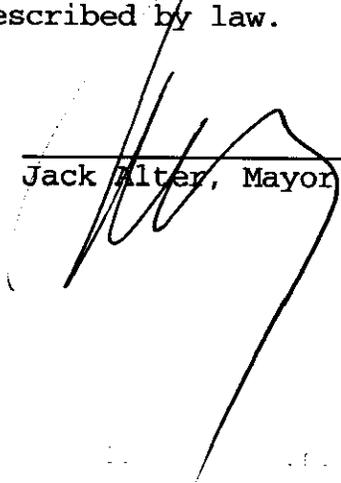
BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2003-6 is hereby amended as follows:

SECTION I Non-Union Personnel Schedule "B" shall be amended to reflect the following position and salary for the year 2003 for the Municipal Prosecutor.

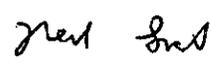
<u>Name</u>	<u>Title</u>	(2003)
Philip Tornetta	Prosecutor	\$17,496

SECTION II This ordinance shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	J. CREVIERI	Date of Introduction	July 24, 2003
Seconded	J. VOSS	Public Hearing	August 21, 2003
		Date of Adoption	August 21, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-27

AN ORDINANCE TO ESTABLISH CHAPTER 370, ARTICLE I, "TAXATION" OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED "HOTEL AND MOTEL ROOM OCCUPANCY TAX", AS AUTHORIZED BY P.L. 2003, C. 114.

WHEREAS, P.L. 2003, c. 114 authorizes the Governing Body of a municipality to adopt an ordinance imposing a hotel and motel occupancy tax at a uniform percentage rate not to exceed 1% on charges of rent for every occupancy on or after July 1, 2003, but before July 1, 2004, and not to exceed 3% on charges of rent for every occupancy on or after July 1, 2004,

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

Section 1. The code of the Borough of Fort Lee is hereby amended by adding new Chapter 370 to read as follows:

Chapter 370 - Taxation - Hotel and Motel Room Occupancy Tax.

1. Purpose: It is the purpose of this ordinance to implement the provisions P.L. 2003, c. 114, which authorizes the governing body a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed 1% on charges of rent for every occupancy on or after July 1, 2003, but before July 1, 2004, and not to exceed 3% on charges of rent for every occupancy on or after July 1, 2004, of a room or rooms in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L. 1966, c. 40 (N.J.S.A. 54:32B-3) which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

2. There is hereby established a Hotel and Motel Room Occupancy Tax in the Borough of Fort Lee which shall be fixed at a uniform percentage rate of 1% on charges of rent for every occupancy of a hotel or motel room in the Borough of Fort Lee on or after July 1, 2003, but before July 1, 2004, and 3% on charges of rent for every occupancy of a hotel or motel room in the Borough of Fort Lee on or after July 1, 2004, of a room or rooms

in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax).

3. The Hotel and Motel Room Occupancy Tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

4. In accordance with the requirements of P.L. 2003, c. 114:

- a. All taxes imposed by this Chapter shall be paid by the purchaser.
- b. A vendor shall not assume or absorb any tax imposed by this ordinance.
- c. A vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the vendor, that the tax will not be separately charged and stated to the customer, or that the tax will be refunded to the customer.
- d. Each assumption or absorption by a vendor of the tax shall be deemed a separate offense and each representation or advertisement by a vendor for each day that the representation or advertisement continues shall be deemed a separate offense.
- e. The penalty for violation of the foregoing provisions shall be a fine not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service for a period not exceeding 90 days, or any combination thereof, for each offense.

5. The tax imposed by this Chapter shall be collected on behalf of the Borough by the person collecting the rent from the hotel or motel customer. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected, or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from a customer as if the tax were a part of the rent and payable at the same time; provided that the Chief Financial Officer of the Borough shall be joined as a party in any action or proceeding brought to collect the tax.

Section 2. A copy of this Ordinance shall be transmitted to the State Treasurer and to each hotel or motel located within the Borough of Fort Lee.

Section 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Borough of Fort Lee heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

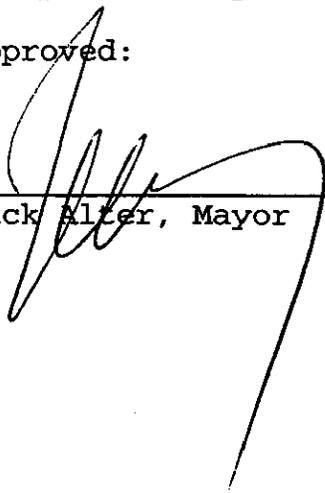
Section 5. This ordinance shall take effect immediately upon final passage. The tax provisions of this ordinance shall take effect on the first day of the first full month occurring 30 days after the date of transmittal to the State Treasurer, Notice of adoption shall be published as provided by law.

Attest:

Approved:

Neil Grant

Neil Grant
Municipal Clerk



Jack Alter, Mayor

Introduced	J. Cravleri	Date of Introduction	July 24, 2003
Seconded	J. Voss	Public Hearing	August 21, 2003
		Date of Adoption	August 21, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-28

AN ORDINANCE REPEALING CHAPTER 145 OF THE FORT LEE CODE, ENTITLED "APARTMENT HOUSES AND BUILDING DEVELOPMENTS"

WHEREAS, the Mayor and Council of the Borough of Fort Lee, upon the recommendation of the Police Department, is of the opinion that it is no longer necessary for the police to issue permits to persons about to be employed in apartment houses or building developments, it being the consensus that such buildings are well-equipped, given modern technology, freedom of information, and their own resources to conduct background searches of prospective employees; and

WHEREAS, the Police Department of Fort Lee has advised that there is no compromise in the safety of the citizens of the Borough, given the foregoing factors,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE that:

Section I. Chapter 145 of the Fort Lee Code, entitled "Apartment Houses and Building Developments," be and the same is hereby repealed in its entirety.

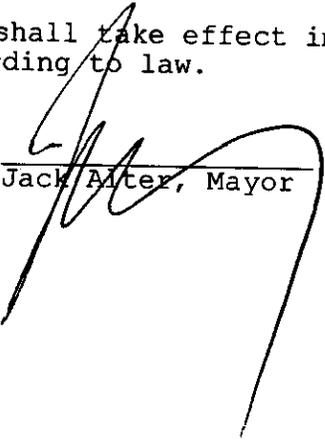
Section II. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions and provisions hereof are hereby ratified and confirmed, except where inconsistent herewith.

Section III. The terms 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 V. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Neil Grant
Neil Grant, Borough Clerk


Jack Alter, Mayor

Introduced	<u>J Voss</u>	Date of Introduction	<u>August 21, 2003</u>
Seconded	<u>J. Cervieri</u>	Public Hearing	<u>September 11, 2003</u>
		Date of Adoption	<u>September 11, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-29

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$640,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$608,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as a capital improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$640,000 including the sum of \$32,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are

hereby authorized to be issued in the principal amount of \$608,000 pursuant to the Local Bond Law.

In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of a Fire Truck for the Fire Department of the Borough, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 \$608,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$10,000 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 improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is 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 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

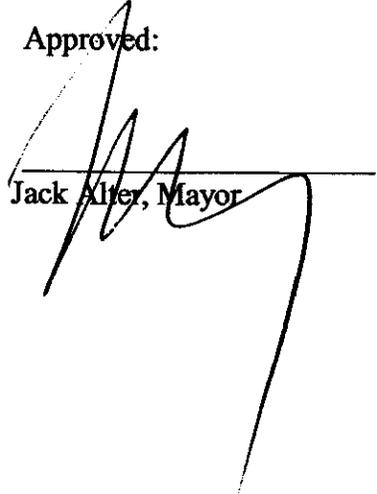
The foregoing bond ordinance is approved

Attest:

Neil Grant

Neil Grant, Municipal Clerk

Approved:



Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>August 21, 2003</u>
Seconded	<u>J. Voss</u>	Public Hearing	<u>September 11, 2003</u>
		Date of Adoption	<u>September 11, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-30

AN ORDINANCE AMENDING CHAPTER 130, SECTION 5D, OF THE BOROUGH OF FORT LEE CODE ENTITLED "ALCOHOLIC BEVERAGE LICENCE FEES"

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

Section I: Chapter 130, Section 5D, of the Fort Lee Code entitled "Alcoholic Beverage Licenses" is hereby amended to read as follows:

<u>Class of License</u>	<u>Annual License Fee</u>
Plenary Retail Consumption License (33)	\$2,400.00
Plenary Retail Distribution License (44)	1,036.00
Limited Retail Distribution License (43)	61.00
Club License (31)	72.00
Seasonal Retail Consumption License (34) (35)	1,800.00

Section II: All other parts, portions and provisions of Chapter 130, Section 5, of the Fort Lee Code are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any inconsistencies, the terms of this Ordinance shall be deemed to govern.

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

[Signature]

Jack Alzer, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>August 21, 2003</u>
Seconded	<u>J. VOSS</u>	Public Hearing	<u>September 11, 2003</u>
		Date of Adoption	<u>September 11, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-31

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:

Placement of handicapped parking space near 16 Short Street

"388-69: Along the east curb line of Short Street, beginning at a point 3 feet north of telephone pole #60981 and continuing south along the same curb line for an additional 26 feet."

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:

Neil Grant

Neil Grant, Borough Clerk

Jack Alter
Jack Alter, Mayor

Introduced	J. Cervieri	Date of Introduction	August 21, 2003
Seconded	J Voss	Public Hearing	September 11, 2003
		Date of Adoption	September 11, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-32

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$208,000 GRANT TO BE RECEIVED FROM THE COUNTY OF BERGEN BOARD OF CHOSEN FREEHOLDERS FOR CONSTRUCTION OF THE ANDERSON AVENUE AND COLUMBIA AVENUE DRAINAGE BYPASS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY.

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

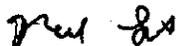
Section 1. The \$208,000 grant to be received from the County of Bergen Board of Chosen Freeholders is hereby appropriated for the purpose of providing funds for construction of a Drainage Bypass at Anderson Avenue and Columbia Avenue located in the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") and including all work and materials necessary therefor and incidental thereto, as more fully described in the plans and specifications on file with the Borough Clerk.

Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital

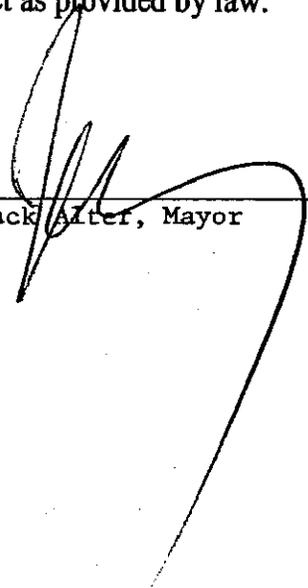
budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

Approved:



Neil Grant
Municipal Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>September 25, 2003</u>
Seconded	<u>M. SURGENI</u>	Public Hearing	<u>October 9, 2003</u>
		Date of Adoption	<u>October 9, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-33

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, SCHEDULE I, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "NO PARKING"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. Chapter 388, Section 43, Schedule I, entitled "No Parking," be and the same is hereby amended as follows:

	Name of Street	Side:	Location
h.	Center Avenue	West	From the southerly curblin of Lincoln Avenue to a point 50 feet southerly therefrom
i.	Center Avenue	East	From the southerly curblin of Lincoln Avenue to a point 116 feet southerly therefrom

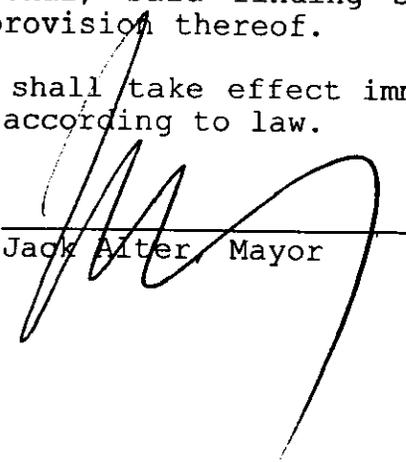
Section II. All other parts, portions and provisions of Chapter 388 of the Code of the Borough of Fort Lee not inconsistent with the terms hereof be and the same are hereby ratified and confirmed. In the event of any inconsistency, the terms and provisions hereof shall govern.

Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

ATTEST:

Neil Grant
Neil Grant, Borough Clerk



Jack Alter, Mayor

Introduced	J. Cravens	Date of Introduction	September 25, 2003
Seconded	M. SARGENT	Public Hearing	October 9, 2003
		Date of Adoption	October 9, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-34

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF A TRAFFIC LIGHT IN THE BOROUGH OF FORT LEE AND APPROPRIATING \$125,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$118,750 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$125,000 including the sum of \$6,250 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$118,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the installation of a traffic light at the intersection of Palisade Avenue and Angioletti Place in the Borough, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All 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 notes from time to time, at not less than par and accrued interest, 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 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 \$118,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$45,000 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 improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

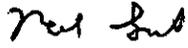
Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad 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 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

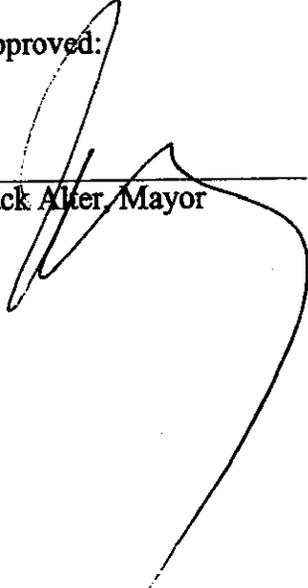
The foregoing bond ordinance is approved

Attest:



Neil Grant, Municipal Clerk

Approved:



Jack Alter, Mayor

Introduced	M. VILLANO	Date of Introduction	October 9, 2003
Seconded	A. PUGHAN	Public Hearing	October 23, 2003
		Date of Adoption	October 23, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-35

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 156 OF THE FORT LEE CODE ENTITLED "TREE REMOVAL AND REPLACEMENT."

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

SECTION I: Chapter 156, Section 5 of the Fort Lee Code entitled "Tree Removal and Replacement - Application Requirements" be and the same is hereby amended and supplemented by the following:

"The filing fee (not the application) is hereby waived for all owner-occupied single and two-family homeowners, in the event that only on one tree is being removed."

SECTION II: Chapter 156, Section 6 of the Fort Lee Code entitled "Tree Removal and Replacement-Criteria for Tree Removal and Permit Procedures", be and the same is hereby amended and supplemented by the following:

"Notwithstanding the foregoing criteria, owners of single-family and two-family residences may remove one tree each three years, without satisfying the above criteria."

SECTION III: All other parts, portions and provisions of Chapter 156 of the Fort Lee Code entitled "Tree Removal and Replacement" be and the same are hereby ratified and confirmed, except where inconsistent herewith. In the event of and such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

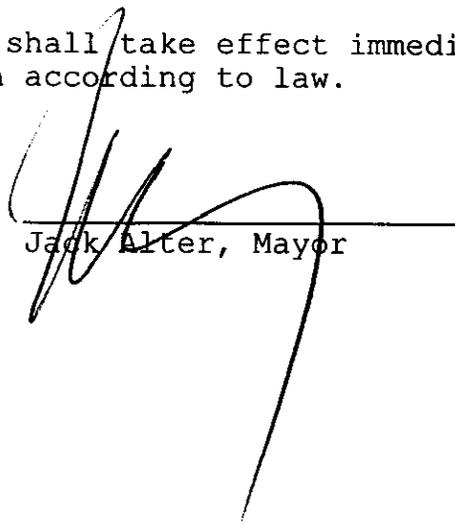
SECTION IV: The provisions of this Ordinance are hereby declared to be severable; should any section or portion thereof be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>October 9, 2003</u>
Seconded	<u>A. PCHAN</u>	Public Hearing	<u>October 23, 2003</u>
		Date of Adoption	<u>October 23, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-36

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 14, OF THE CODE OF BOROUGH OF FORT LEE ENTITLED "VEHICLES AND TRAFFIC - HANDICAPPED PARKING SPACES".

WHEREAS, Chapter 161 of the Public Laws of 2003 increases the Statewide fine for parking in restricted spaces reserved for handicapped individuals; and

WHEREAS, it is the desire of the Mayor and Council to conform its Borough Ordinance with said statute.

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

Section I:

Chapter 388, Section 14, entitled "Vehicles and Traffic - Handicapped Parking Spaces" of the Code of the Borough of Fort Lee, be and the same, is hereby amended and supplemented by the addition thereto of the following:

"Any person parking a vehicle in a space reserved for handicapped individuals shall be fined the sum of \$250.00 for the first offense. In the event that the same person violates this section for a second time, or in the event of any subsequent offenses, such person shall be fined \$250.00 plus a maximum of ninety (90) days community service."

Section II: Inconsistencies and Conflict.

All other parts, portions and provisions of Chapter 388 of the Fort Lee Code be and the same are ratified and confirmed, except where inconsistent with any of the terms and provisions hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section III: Unconstitutional and Invalid.

If any section or clause, or phrase, of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the remaining provisions of the Ordinance. The Governing Body of the Borough of Fort Lee declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

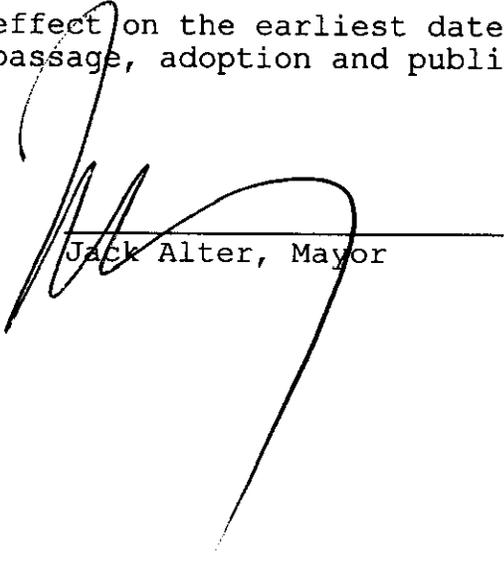
Section IV: Effective Date.

This Ordinance shall take effect on the earliest date allowed by law following first passage, adoption and publication.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>October 9, 2003</u>
Seconded	<u>A. PULAN</u>	Public Hearing	<u>October 23, 2003</u>
		Date of Adoption	<u>October 23, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-37

**AN ORDINANCE ESTABLISHING CHAPTER 40, PROVIDING FOR
DEFENSE AND INDEMNIFICATION OF MUNICIPAL OFFICIALS
AND EMPLOYEES**

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

SECTION I.

- A. Defense of Civil Actions. Whenever and civil proceeding has been brought against any official or employee of the Borough of Fort Lee for any action or omission within the scope of the performance of the duties of such office, position, or employment, the Borough upon request, shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any. The official or employee may be indemnified for all such costs of defense resulting from the official's or employees's civil violation of State or Federal law, if, in the opinion of the governing body, the acts committed by the official or employee upon which the claims are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.
- B. Payment of Claims. The Borough shall indemnify and save harmless each official or employee from financial loss resulting from any action described above in this section, including claims, losses, expenses, judgment, attorney's fees, court costs and expert or technical witness reasonably incurred in connection therewith to the extent permitted by law. Expenses thus incurred may be paid in advance of final disposition of the action.

In addition to the foregoing, the official or employee may be indemnified for exemplary or punitive damages resulting from the official's or employees's civil violation of State or Federal

law if, in the opinion of the governing body, the acts committed by the official or employee upon which such damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

- C. This ordinance shall apply retroactively to any and all causes of action occurring prior to this date including any pending causes of action.

SECTION II.

Any prior ordinances or parts of prior ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION III.

The terms of this Ordinance are hereby declared severable. Should any part, portion or provision of this Ordinance be deemed invalid or unconstitutional, said determination shall not effect any other part, portion or provision not held to be invalid.

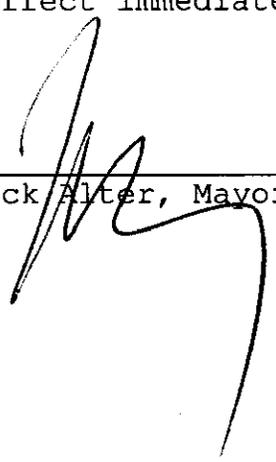
SECTION IV.

This Ordinance shall take effect immediately upon final passage according to law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. Cervoni</u>	Date of Introduction	<u>October 23, 2003</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>November 13, 2003</u>
		Date of Adoption	<u>November 13, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-38

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 18, SCHEDULE VI-A, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "NO PARKING"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. Chapter 388, Section 18, Schedule VI-A, entitled "Traffic Regulations - Trucks over three tons excluded from certain streets," be and the same is hereby amended to include as follows:

<u>Name of Street</u>	<u>Location</u>
Old Palisade Road	From Main Street to Federspiel Street

Section II. All other parts, portions and provisions of Chapter 388 of the Code of the Borough of Fort Lee not inconsistent with the terms hereof be and the same are hereby ratified and confirmed. In the event of any inconsistency, the terms and provisions hereof shall govern.

Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

ATTEST:

Neil Grant
Neil Grant
Borough Clerk

Jack Alter, Mayor

Introduced	<u>J. Ceavere</u>	Date of Introduction	<u>November 13, 2003</u>
Seconded	<u>M. Sacceni</u>	Public Hearing	<u>December 11, 2003</u>
		Postponed:	<u>December 18, 2003</u>
		Date of Adoption	<u>December 18, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-39

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$50,000 GRANT TO BE RECEIVED FROM THE BERGEN COUNTY COMMUNITY DEVELOPMENT FUND FOR ACQUISITION OF A NON-MEDICAL HANDICAP VAN BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY.

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

Section 1. The \$50,000 grant to be received from the Bergen County Community Development Fund is hereby appropriated for the purpose of providing funds for acquisition of a non-medical handicap van and including all work and materials necessary therefor and incidental thereto.

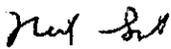
Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the

Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

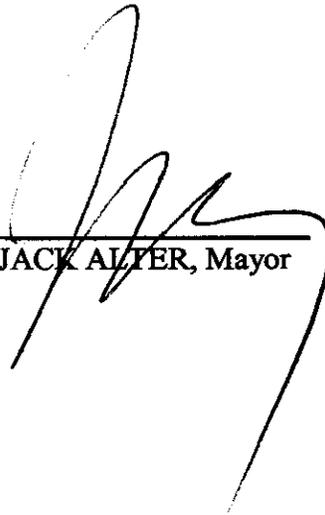
Section 3. This ordinance shall take effect as provided by law.

Approved:

Attest:



Neil Grant
Municipal Clerk



JACK ALYER, Mayor

Introduced	J. CERVIERI	Date of Introduction	November 13, 2003
Seconded	M. SARGENTI	Public Hearing	December 11, 2003
		Postponed	December 18, 2003
		Date of Adoption	December 18, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-40

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 65, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "VEHICLES AND TRAFFIC - SCHEDULE XIX: VEHICLE MOVEMENT ON PRIVATE PROPERTY OPEN TO THE PUBLIC."

WHEREAS, the Traffic Bureau of the Fort Lee Police Department has reviewed certain provisions of the Borough's traffic ordinances; and

WHEREAS, recommendations have been made regarding same;

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

Section I. Chapter 388, Section 65, of the Code of the Borough of Fort Lee, entitled "Vehicles and Traffic - Schedule XIX; Vehicle Movement on Private Property Open to the Public," be and is hereby amended by the addition thereto of the following:

a. Linwood Plaza Shopping Center, Fletcher Avenue:
Left turns from the northern egress driveway onto Fletcher Avenue northbound are prohibited.

b. Property 2170 Fletcher Avenue:
Left turns from the exit driveway onto Fletcher Avenue southbound are prohibited.

c. Property 303 Main Street:
Left turns from the exit driveway onto Main Street eastbound are prohibited.

d. Washington Bridge Plaza, a/k/a 2151 Lemoine Avenue, west side, between North Marginal Crossroad and Lincoln Avenue:
Left turns from the exit driveways onto Lemoine Avenue northbound are prohibited.

e. Repealed.

f. Whitman Mall, a/k/a 1605 Lemoine Avenue,
west side, between Whitman Avenue and Hoym
Street:

Left turns from exit driveways onto Lemoine
Avenue northbound are prohibited.

g. Repealed.

Section II. The provisions of this Ordinance are hereby
declared to be severable; should any part, portion or provision
hereof be 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.

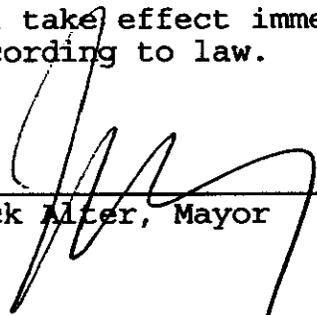
Section III. In the event of any inconsistencies between
the provisions of this Ordinance and any prior ordinance of the
Borough of Fort Lee, the provisions hereof shall be deemed to
govern. All other parts, portions and provisions of Chapter 388
are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant
Municipal Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>November 13, 2003</u>
		Public Hearing	<u>December 11, 2003</u>
Seconded	<u>M. VILLANO</u>	Postponed	<u>December 18, 2003</u>
		Date of Adoption	<u>December 18, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-41

**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 delete the following as a handicapped parking space:

gg: Deletion of Handicapped Parking Space at 1657 Maple St.

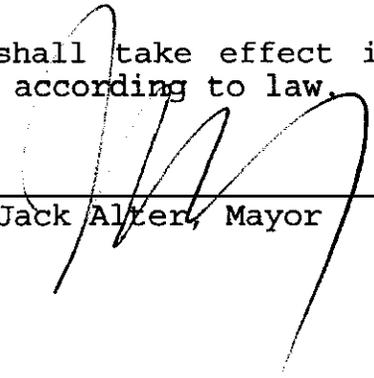
"388-69: From the south property line, along the west curb for a distance to the north of 22 feet

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:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	<u>J. Ceasens</u>	Date of Introduction	<u>November 13, 2003</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>December 11, 2003</u>
		Postponed	<u>December 18, 2003</u>
		Date of Adoption	<u>December 18, 2003</u>

BOROUGH OF FORT LEE

ORDINANCE # 2003-42

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 328, SECTION 20, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "RESTAURANTS" TIMES OF OPERATION FOR OUTDOOR CAFES

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, AS FOLLOWS:

Section I. 328-20. Times of Operation:

Outdoor cafes shall be permitted to operate from **March 1st** to **December 31st** in any calender year. The license, when issued, shall be valid for one season.

Section II. All other parts, portions and provisions of Chapter 328 of the Code of the Borough of Fort Lee not inconsistent with the terms hereof be and the same are hereby ratified and confirmed. In the event of any inconsistency, the terms and provisions hereof shall govern.

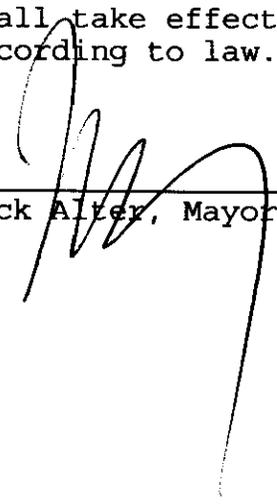
Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	J. Cervino	Date of Introduction	November 13, 2003
Seconded	M. SARGENT	Public Hearing	December 11, 2003
		Postponed	December 18, 2003
		Date of Adoption	December 18, 2003

BOROUGH OF FORT LEE

ORDINANCE # 2003-43

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 41 OF THE FORT LEE CODE, ENTITLED "SURCHARGE FOR PARKING/TRAFFIC FINES," AND AMENDING CHAPTER 388, SECTION 40, AND CHAPTER 216, SECTION 6 (34) AND (35) TO IMPLEMENT THE ADDITIONAL FINE AUTHORIZED HEREBY

WHEREAS, the State of New Jersey has recently adopted legislation which requires that municipalities collect an additional \$2 for motor vehicle violations in order to fund the newly created "New Jersey Forensic DNA Laboratory Fund"; and

WHEREAS, the State additionally adopted legislation requiring a \$1 assessment on all motor vehicle violations for deposit in the "Autism Medical Research & Treatment Fund,"

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

Section I. Chapter 388, Section 41 of the Code of the Borough of Fort Lee, entitled "Surcharge for Parking/Traffic Fines," be and is hereby amended and supplemented so as to add the following:

H. All Borough of Fort Lee parking/traffic violations fines are hereby increased by \$2 to fund the newly created "New Jersey Forensic DNA Laboratory Fund," which monies are paid to the State of New Jersey.

I. All Borough of Fort Lee parking/traffic violations fines are hereby increased by \$1 to fund the "Autism Medical Research & Treatment Fund," which monies are to be paid to the State of New Jersey.

Section II. Chapter 388, Sections 4, 5, 6, 7, 8, 9, 10, 11, 15, 17, 35, 36 and 37, of the Fort Lee Code entitled "Fee Schedule," be and are hereby amended to add an additional \$3 fee to each section included therein.

Section III. Chapter 216, Section 6 (34) and (35) of the Fort Lee Code entitled "Fire Prevention Code - Fire Zones," is hereby amended to provide a fine of \$62.

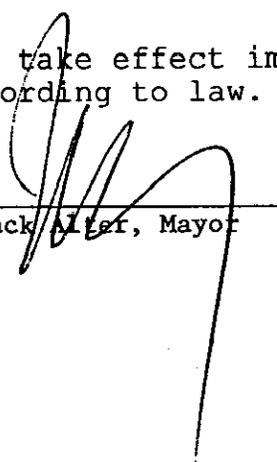
Section IV. Chapter 289, Sections 15 and 36 be and are hereby amended to add an additional \$3 fee for violations thereof.

Section V. 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.

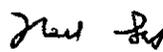
Section VI. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions and provisions of Chapters 388 and 216 are hereby ratified and confirmed, except where inconsistent herewith.

Section VII. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:



Jack Alter, Mayor



Neil Grant
Borough Clerk