

Introduced	A. PUGHAN	Date of Introduction	January 22, 2004
Seconded	M. SARGENT	Public Hearing	February 12, 2004
		Date of Adoption	February 12, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-1

**AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN NEW JERSEY, ESTABLISHING CHAPTER 99, THE CIVILIAN MANAGERIAL AND PLANNING POSITION OF DIRECTOR OF PUBLIC SAFETY COORDINATING THE POLICE DEPARTMENT, FIRE DEPARTMENT, COMMUNICATIONS DEPARTMENTS, AMBULANCE CORPS AND OFFICE OF EMERGENCY MANAGEMENT**

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 civilian, managerial and planning position of the Director of Public Safety, supervising the Police Department, Fire Department, Communications Department, Ambulance Corps and Office of Emergency Management, is hereby established according to the following terms:

**A. Position established:** There is hereby established the civilian, managerial and planning position of Director of Public Safety (hereinafter the "Director"). Nothing contained herein shall prevent a sworn classified employee/officer of the Borough of Fort Lee from acting as the Director, while on an approved leave of absence, subject to applicable law.

**B. Method of appointment:** In accordance with N.J.S.A. 40A:9-1.1, the Director shall be appointed by the Mayor and confirmed by the majority vote of the Council, in compliance with the laws of the State of New Jersey and of the Borough of Fort Lee.

**C. Term:** The Director shall serve at the pleasure of the Mayor and Council set forth by resolution and his/her employment may be terminated by the Mayor and Council at will. The Director shall serve until his/her successor is confirmed, unless he/she is terminated.

**D. Direct report:** The Director shall report directly to the Mayor and Council and shall perform such duties set forth herein and as may be further delegated by the Mayor and Council.

**E. Powers:** Under the general direction of the Mayor and Council, the Director shall have managerial, coordinating and planning authority for the Borough of Fort Lee Police

Department, Fire Department, Communications Department, Ambulance Corps and the Office of Emergency Management (hereinafter the "Public Safety Departments") in such manner as may be consistent with applicable statutes, ordinances, regulations and judicial precedent, and shall be responsible for the coordination, administration, overall supervision, regulation and discipline of same. All officers and members of the Public Safety Departments shall perform their duties subject to the supervision of the Director. The Director shall, generally, accomplish his duties through and in consultation with the Department Heads of the various individual Public Safety Departments.

**F. Powers of the Chief of Police Reserved:** The duties of the Director shall not infringe upon the duties of the Chief of Police as set forth in N.J.S.A. 40A:14-118.

**G. Qualification of appointee:** The person appointed to the position of Director shall be qualified by training and experience for the duties of this position, but in no event shall a person be appointed unless such person meets the following preferred qualifications:

- (1) A bachelor's degree from an accredited college or university in public safety administration, public administration, law enforcement, police science or a related field;
- (2) A minimum of 10 years' experience as a member of a law enforcement agency, a full-time fire department, or a full-time emergency management department, five years of which shall have been in a supervisory and administrative capacity, or 5 years of service as a judge of the judicial arm of government; and

**H. Duties:** The duties of the Director shall include, but not be limited to, the following:

- (1) Shall have full managerial, coordinating, planning authority and overall supervision of the Public Safety Departments and see to the proper enforcement of the rules and regulations adopted by the Mayor and Council; shall report to the Mayor and Council from time to time, as they may, from time to time, require, but not less than once a month, on such matters as may require the attention of the Mayor and Council with the recommendations of the Director thereon, relating to conditions of the Public Safety Departments and their improvements and needs; shall perform such other matters in connection therewith as may be prescribed by the Mayor and Council; shall provide rules for application to become members of the Public Safety Departments; shall examine all applicants for positions in the Public Safety Departments and recommend for positions in the Public Safety Departments such persons as the Director may deem proper from time to time; shall act as that appropriate authority pursuant to N.J.S.A. 40A:14-118, conduct a final hearing on charges, issue decisions thereupon and otherwise exercise managerial and planning authority over all subordinates, subject to law; and may employ marshals in emergencies and discharge them at the expiration thereof;
- (2) To keep abreast of the Public Safety Departments' requirements in the Borough and formulate policies, plans and procedures responsive to determined needs;

- (3) To research and assist in the development of the organizational manpower and resource requirements and, upon approval of same by the Mayor and Council, effect their implementation through the chain of command;
- (4) To establish performance criteria for the Public Safety Departments as well as their individual members and conduct periodic evaluations to assure compliance with those criteria;
- (5) To establish and maintain relations with school, civil and private organizations to assure a full understanding of the public safety effort;
- (6) To conduct public relations, public information programs and generate grant(s) and grant(s) in aid on behalf of the Public Safety Departments and the citizens of the Borough as may be pre-approved by the Mayor and Council;
- (7) To promote a close liaison with the various agencies of the Borough, and to attend all meetings of the Mayor and Council when necessary, to better coordinate the functioning of the Public Safety Departments with the work of all municipal agencies;
- (8) To regularly review the ordinances of the Borough dealing with public safety to assure their propriety with the prevailing public safety needs of the Borough;
- (9) To annually prepare a budget request, in conjunction with the Chiefs of Police and Fire Departments, the Superintendent of Communications, the Chief of the Ambulance Corps and the Director of the Office of Emergency Management, for the Public Safety Departments and administer same;
- (10) To plan and implement an ongoing program of training and education, subject to the approval of the Mayor and Council, for all the members of the Public Safety Departments, so that they will be fully apprised of current developments in their respective fields;
- (11) To take an active part in any land use, zoning, development and redevelopment proposals or studies which are or might be conducted for the Mayor and Council so that adequate consideration is given to the present and future needs of the Public Safety Departments as well as to facilities and programs incidental to the functioning of the Public Safety Departments; and
- (12) To otherwise function in an executive capacity in evaluating, planning, organizing and directing the Public Safety Departments.

I. **Compensation:** The Director shall be paid an annual salary as established by resolution of the Mayor and Council.

J. **Oath:** The Director, before serving as such, shall swear under oath to support the Constitution and laws of the United States, the State of New Jersey and other ordinances of the Borough of Fort Lee and faithfully discharge and perform duties of his/her office.

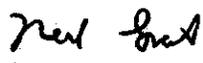
K. In the event of a temporary or permanent vacancy in the position of the Director, absence, incapacity, suspension or removal (as shall be determined by the Mayor and Council), the Mayor and Council may appoint a qualified person to assume the position, duties and responsibilities of the Director until such vacancy is filled.

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

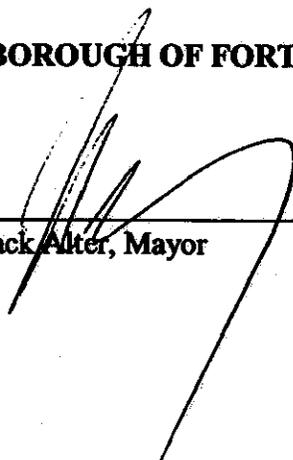
**Section 3.** Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

**ATTEST:**

  
\_\_\_\_\_  
Neil Grant  
Borough Clerk

**BOROUGH OF FORT LEE**

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>January 22, 2004</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>February 12, 2004</u>
		Date of Adoption	<u>February 12, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-2

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, ESTABLISHING CHAPTER 6, INSTITUTING A STIPEND PROGRAM TO REIMBURSE MEMBERS OF THE FORT LEE VOLUNTEER AMBULANCE CORPS**

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

**WHEREAS,** the Mayor and Council of the Borough of Fort Lee believe that it is necessary to institute a stipend program to reimburse members of the Fort Lee Volunteer Ambulance Corps for their economic losses and to encourage participation in the Volunteer Ambulance Corps; and

**WHEREAS,** the Mayor and Council believe that the program has been successful, and that the Volunteer Ambulance Corps members are entitled to a stipend both in light of their dedication and performance for the people of the Borough and also in light of the tremendous fiscal savings occasioned to the Borough.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fort Lee that a stipend program to reimburse members of the Fort Lee Volunteer Ambulance Corps be instituted under the following terms and conditions:

1. The quarterly stipend payment scale, which is predicated upon the total quarterly shifts worked by the individual member, shall be based upon the quarterly shifts and stipends for that attendance:

<u>Quarterly Shifts</u>	<u>Quarterly Stipend Amount</u>
From 0-15 shifts	\$ 0.00
From 16-19 shifts	\$ 600.00
From 20-23 shifts	\$ 877.20
From 24-26 shifts	\$ 1,205.04
From 27-29 shifts	\$ 1,355.67

From 30-32 shifts	\$ 1,506.30
From 33 and above	\$ 1,656.93

2. In order to encourage response to calls, for every three (3) unscheduled backup calls answered, members will receive credit for one (1) unscheduled back-up shift.

3. Scheduled backup shifts take effect between the hours of 11:30 p.m. and 6:00 a.m. daily. Any member that is scheduled for a backup shift will be paid \$5.00 for that shift. In addition, the member will receive credit for one (1) unscheduled backup call for each response/call after the first. Any member that responds to a backup call as a result of the scheduled member not responding will receive \$5.00 and credit for one (1) unscheduled backup call.

4. Daytime response will take effect between the hours of 6:00 a.m. and 7:00 p.m. daily. Any member that responds to an unscheduled backup call during the hours of 6:00 a.m. and 7:00 p.m. will receive credit for two (2) unscheduled backup calls.

5. In order to encourage members of the Volunteer Ambulance Corps to continue education and training, each member shall receive credit for EMT CBU classes, Corps training and drills, as well as Corps specialty events according to the following guidelines: each individual member shall receive one (1) unscheduled backup call credit for 0-2 hours of training, two (2) unscheduled backup call credits for 2-4 hours of training, and one (1) stipend shift credit for greater than four (4) hours of training.

6. Any member covering a holiday shift, beyond the required two (2) holiday shifts, will receive credit for two (2) regular shifts for each additional holiday shift worked. An Associate member is required to work one (1) holiday shift before he/she is eligible to receive the extra holiday shift credit. Any member who has not fulfilled his/her holiday requirements from prior years will not be eligible for extra shift credit until he/she has made up the past year's shifts.

7. Each member will be allowed to hold over up to fifteen (15) stipend credit shifts at any given time. Each member will additionally be able to hold over an unlimited number of unscheduled backup shift credits. Two (2) weeks prior to the end of the quarter, members must notify the Deputy Chief, in writing, of their desire to utilize their stipend credit and/or unscheduled backup shift holdovers.

8. Members cannot place themselves on posted shifts as a third or fourth crewmember simply to receive stipend credit. Members that wish to ride as a third or fourth crewmember on any scheduled shift must get the approval of the Scheduling Officer.

9. Members who were on the Fort Lee Volunteer Ambulance Corps rolls as of June 1, 2002 regardless of their membership status (i.e., Regular, Associate, Youth Corps) will be included in the stipend program. This will include those members who resided outside of the Borough of Fort Lee as of the aforementioned date.

10. Any Fort Lee Volunteer Ambulance Corps member, who resided outside the Borough of Fort Lee at the time that he/she was accepted into the Corps, will be eligible to receive the stipend, after one (1) year of active membership on the Corps. Said members must have been actively riding for twelve (12) consecutive months, consistently and on a weekly basis, as a Regular or Youth Corps member. At the completion of the twelve (12) month period, the Corps Council will review said member's activity, and a recommendation will be made to the Corps' membership to accept or reject said member for the stipend program. Additionally, the number of Corps members who are eligible for the stipend under the above written rule will be limited to five (5) at any time.

11. All officers and engineer(s) will receive credit for two (2) regular stipend shifts per month, if they are fulfilling the responsibilities of their assigned positions. The Chief of the Corps will be responsible for determining if Corps officers and engineers are fulfilling their responsibilities. Additionally, the Corps Council will be responsible for determining if the Chief is fulfilling his/her responsibilities. All officers, acting officers, and engineer(s) (maximum of two (2) per year) will receive one (1) extra month's stipend (rated at the 24-26 shift level) payable in the third quarter of each year, for fulfilling their responsibilities.

12. Any member who has taken the same shift for a period of six (6) or more months, and has been riding on a consistent and weekly basis, will not have to give up his/her shift to any other members, unless he/she voluntarily submits it in writing to the Scheduling Officer.

13. All members will use the Keri System Time Clock to log in and out of the building for their stipend shifts. No member may log in or out for another member.

14. If a member misses a regularly scheduled shift without proper coverage, he/she shall be subject to a suspension and shall not receive credit for the shift.

15. Members taking three (3) or more overnights per week shall receive an additional \$15 for each overnight beyond the second overnight for that week. If a member is currently taking more than two (2) overnight shifts per week, he/she cannot refuse to give up one or more of the shifts to another member, just to continue receiving the \$15. The member taking more than two (2) overnight shifts per week would have a choice as to which additional shift(s) he/she would like to give up.

16. The Fort Lee Ambulance Corps will receive the yearly raise in accordance with the Blue Collar Union Employees and the Fort Lee Fire Department.

**BE IT FURTHER ORDAINED**, that any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

**APPROVED AS TO FORM:**

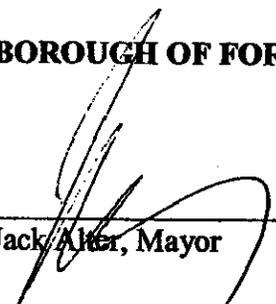
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J. Sheldon Cohen, Esq.  
Borough Attorney

**ATTEST:**

*Neil Grant*

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Neil Grant  
Borough Clerk

**BOROUGH OF FORT LEE**

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>January 22, 2004</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>February 12, 2004</u>
		Date of Adoption	<u>February 12, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-3

**AN ORDINANCE AMENDING CHAPTER 130, ALCOHOLIC BEVERAGES, ARTICLE 1 CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC AND PRIVATE PLACES, OF THE CODE OF THE BOROUGH OF FORT LEE**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 130, Alcoholic Beverages, Article 1, Consumption of Alcoholic Beverages in Public and Private Places, of the Code of the Borough of Fort Lee, is hereby amended as follows:

**Section 1. Section 130-1, Places where consumption is prohibited, is hereby amended as follows:**

**Section 130-1. Places where consumption is prohibited.**

**No person shall consume any alcoholic beverage:**

A. While in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place other than a place licensed to sell alcoholic beverages and dispense alcoholic beverages for consumption on the premises, or in public conveyances;

B. In a private motor vehicle or other vehicle; or

C. While upon any private property not his own without the express permission of the owner or other person having authority to grant such permission.

D. A person may consume any alcoholic beverage in a bring your own bottle licensed restaurant ("BYOB") facility. However, the BYOB facility must follow all applicable state laws as well as all Fort Lee Ordinances regarding the operation of an alcoholic beverage establishment.

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

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

**APPROVED AS TO FORM:**

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J. Sheldon Cohen, Esq.  
Borough Attorney

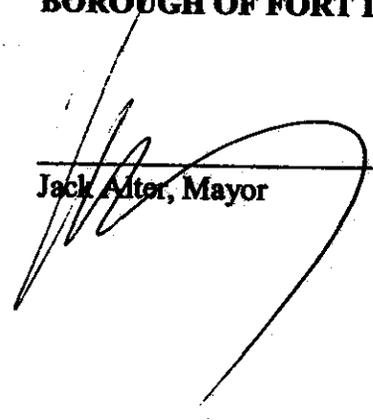
**ATTEST:**

*Neil Grant*  

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Neil Grant  
Borough Clerk

**BOROUGH OF FORT LEE**

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Jack Alter, Mayor

Introduced	<u>A PUGH</u>	Date of Introduction	<u>January 22, 2004</u>
Seconded	<u>M SARGENT</u>	Public Hearing	<u>February 12, 2004</u>
		Tabled:	<u>February 12, 2004</u>
		Date of Adoption	<u></u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-4

**AN ORDINANCE AMENDING CHAPTER 324, RENT CONTROL, ARTICLE II RENT INCREASE CALCULATIONS, OF THE CODE OF THE BOROUGH OF FORT LEE**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 324, Rent Control, Article II Rent Increase Calculations, of the Code of the Borough of Fort Lee, is hereby amended as follows:

**Section 1. Section 324-2, Rental increases, is hereby amended as follows:**

**Section 324-2. Rental increases.**

A. Subject to the provisions of partial vacancy decontrol set forth in Section 324-9, allowable rent increases for all other rental units falling within the Borough's rent leveling ordinances shall be determined as set forth herein.

B. At the expiration of a period of not less than 12 consecutive calendar months following the effective date of the last rental increase, a landlord may receive an increase in the rent for such rental unit not to exceed 4% of the prior base rent, subject to Subsection C below.

C. The maximum allowable annual rent increase that a landlord may charge a qualified senior citizen or disabled person shall be determined by the MAP formula and

guidelines set forth in the Borough's rent leveling ordinances in effect prior to the effective date hereof. The definition that shall be used to determine qualification by a senior citizen or disabled person is the definition utilized to determine protected tenancy status pursuant to the Senior Citizens and Disable Protected Tenancy Act (N.J.S.A 2A:18-61.22 et seq.)

D. The Borough's Rent Leveling Administrator is hereby empowered with the authority to hear and determine all applications for qualification as a senior citizen or disabled person.

E. Any rent increase other than as provided in this chapter shall be void.

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

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

**APPROVED AS TO FORM:**

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J. Sheldon Cohen, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF FORT LEE**

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Neil Grant  
Borough Clerk

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Jack Alter, Mayor

Introduced	M. VILLINO	Date of Introduction	January 22, 2004
Seconded	A. POGAN	Public Hearing	February 12, 2004
		Date of Adoption	February 12, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-5

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

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

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

"388-69: Along the west curb line of Keswick Place, beginning at the point 61 feet south of the west curb apex of Brinkerhoff Avenue and Keswick Place, and continuing 20 feet south of the same point

**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, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>February 12, 2004</u>
Seconded	<u>M. SARGENTIS</u>	Public Hearing	<u>March 11, 2004</u>
		Date of Adoption	<u>March 11, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-6

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$150,000 GRANT TO BE RECEIVED FROM THE STATE OF NEW JERSEY FOR PURCHASE OF LOCAL DOMESTIC PREPAREDNESS EQUIPMENT FOR USE 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 \$150,000 grant to be received from the State of New Jersey under the 2004 Statewide Local Domestic Preparedness Equipment Grant Program is hereby appropriated for the purpose of purchasing local domestic preparedness equipment and including all work and materials necessary therefor and incidental thereto, as more fully described in the 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.

Attest:

Neil Grant  
Neil Grant, Borough Clerk

Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>February 12, 2004</u>
Seconded	<u>M. SARGENTI</u>	Public Hearing	<u>March 11, 2004</u>
		Date of Adoption	<u>March 11, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-7

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

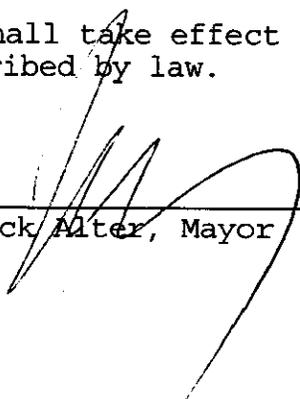
BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2003-6 is hereby amended as follows:

SECTION I Non-Union Personnel Schedule "B" shall be amended to reflect the following position and salary for the years 2004 and 2005 for the following Municipal Court Judge.

<u>Name</u>	<u>Title</u>	(2004)	(2005)
Robert Tessaro	Municipal Judge	\$55,000	56,925

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	<u>J. Voss</u>	Date of Introduction	<u>February 12, 2004</u>
		Public Hearing	<u>February 26, 2004</u>
Seconded	<u>M. SARGENT</u>	Date of Adoption	<u>February 26, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-8

**AN ORDINANCE AUTHORIZING THE BOROUGH OF FORT LEE FILM COMMISSION TO CAUSE THE INSTALLATION OF A MARKED ON PROPERTY AS SHOWN ON THE BOROUGH TAX MAP AS BLOCK 6101, LOT 5, FOR THE PURPOSE OF ACKNOWLEDGING THE HISTORICAL SIGNIFICANCE OF SAID PROPERTY**

**WHEREAS**, the Borough of Fort Lee has determined that the Food Emporium property as shown on the Tax Map as Block 6101, Lot 5, was the former site for Solax Studio, owned and operated by Alice Guy Blache who was the first woman to direct a film and to own a movie studio; and

**WHEREAS**, said site is of historical significance and the Borough wishes to acknowledge said historical significance; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-65.1, the Borough may enact an ordinance designating such an historic site that is not based upon the Master Plan;

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

1. Pursuant to N.J.S.A. 40:55-D4 the Food Emporium site known on the Borough of Fort Lee's tax map as Block 6101, Lot 5, is a location of historic significance; and
2. It is deemed to be in the best interests of the Borough of Fort Lee to designate this site as a place of historic significance;
3. The Film Commission of the Borough of Fort Lee is hereby authorized to cause a historic marker to be placed on said property so that the public will be informed of said historical significance.

Attest:

Neil Grant

Neil Grant, Borough Clerk

Approved:

Jack Alter  
Jack Alter, Mayor

Introduced	J. Cervieri	Date of Introduction	February 26, 2004
Seconded	M. Villano	Public Hearing	March 25, 2004
		Date of Adoption	March 25, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-9

**AN ORDINANCE AMENDING ORDINANCE #2002-14 ESTABLISHING SALARIES AND WAGES 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 White Collar Employees Schedule "A" shall be amended to include the following title as follows:

b. Schedule "A" shall be amended to delete the title of Code Enforcement Trainee

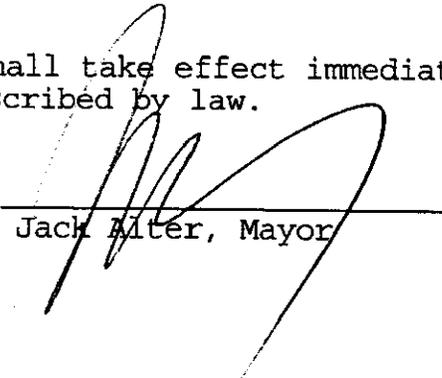
c. Schedule "A" shall be amended to reflect the change to the minimum salary for a Code Enforcement Officer in 2004 and 2005 as follows:

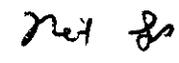
<u>2004</u>	<u>2005</u>
\$30,000	\$31,050

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

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

ATTEST:

  
 Jack Alter, Mayor

  
 Neil Grant  
 Borough Clerk

Introduced	<u>M. Villano</u>	Date of Introduction	<u>February 26, 2004</u>
Seconded	<u>M. Sargenti</u>	Public Hearing	<u>March 25, 2004</u>
		Date of Adoption	<u>March 25, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-10

**"CAP" ORDINANCE TO EXCEED INDEX RATE; INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S.A. 40A:4-45.14)**

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 to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and

WHEREAS, the index rate for 2004 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; 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 2004 budget by more than 2.5% over the previous years 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 2.5% increase in the budget for said year, amounting to \$706,545.80 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 2004 budget year, the final appropriations of the Borough fo Fort Lee shall, in accordance with this ordinance and P.L. 1986, C.203, be increased by 2.5%, amounting to \$706,545.80, and that the 2004 municipal

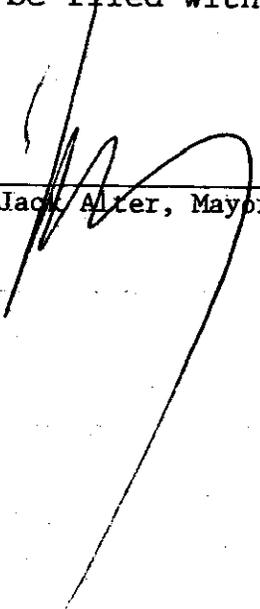
budget for the Borough of Fort Lee be approved and adopted in accordance with this ordinance; and

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 Grant*

  
\_\_\_\_\_  
Jack Alter, Mayor

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

Introduced	M. VILLANO	Date of Introduction	February 26, 2004
		Public Hearing	March 11, 2004
Seconded	A. POHAN	Date of Adoption	March 11, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-11

**AN ORDINANCE FOR THE ACQUISITION OF REAL PROPERTY AND IMPROVEMENTS, BY PURCHASE OR BY CONDEMNATION, CONSISTING OF LOTS 13, 14, 15, AND 20 IN BLOCK 6101 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE, AND COMMONLY KNOWN AS 173 BRIDGE PLAZA NORTH IN THE BOROUGH OF FORT LEE**

WHEREAS, the Borough of Fort Lee determined that it was appropriate to examine certain property located Block 6101, Lots 13, 14, 15 and 20, Lots 17, 18, 19, 20 and 21 as shown on the tax map of the Borough of Fort Lee and hereafter referred to as "Redevelopment Area 1" to determine whether this area may be declared a redevelopment area according to the criteria set forth at N.J.S.A. 40A:12A-5, and referred the investigation of Redevelopment Area 1 to the Planning Board of the Borough of Fort Lee as required pursuant to N.J.S.A: 40A:12-A-6; and

WHEREAS, a report entitled "Redevelopment Area Investigation for Two Areas Located in the Northeasterly Portion of Fort Lee, New Jersey" was prepared for the benefit of the Planning Board by Abeles, Phillips, Preiss and Shapiro, Inc., and submitted to the Fort Lee Planning Board in May of 2002, and a subsequent public hearing having been held in accordance with the statute, the Fort Lee Planning Board adopted a Resolution on September 4, 2002, finding the area in need of redevelopment; and

WHEREAS, on September 26, 2003, the Mayor and Council of the Borough of Fort Lee accepted and approved the Planning Board's determination and declared the area now to be known as Redevelopment Area 1 to be in an area in need of redevelopment pursuant to N.J.S.A. 40A:12-A-5b, c, d, and e; and

WHEREAS, subsequently a redevelopment plan prepared by Abeles, Phillips, Preiss and Shapiro, Inc., dated December 20, 2002, was reviewed by the Planning Board and subsequently approved in January of 2003 by the said Board; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee adopted Ordinance 2003-7 on March 27, 2003, approving the Redevelopment Plan as recommended by the Planning Board and therein formally designating the Redevelopment Area 1 as herein previously defined; and

WHEREAS, the Borough of Fort Lee sought to obtain proposals for development of all or part of Redevelopment Area 1 from qualified redevelopers; and approved a form of Request for Proposals, the "RFP", which it made available to prospective developers on or about August 1, 2003, for all proposals to be submitted to the Director of Economic Development no later than October 1, 2003 for the purpose of assisting the Borough in identifying and selecting qualified redevelopers who would develop all or part of the Redevelopment Area 1 in accordance with the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan anticipates the development on Block 6101, Lots 13, 14, 15, and 20, to be developed in accordance with the C-3 Land Use Regulations and as otherwise modified by the land use regulations of the Redevelopment Plan as and for an office development and in particular to utilize an uncompleted and abandoned six-story office structure; and

WHEREAS, on or about October 1, within the time required under the RFP, the Office of Economic Development did receive from Com Office Developers, LLC, a completed response to the RFP including the requested deposit of \$250,000.00; and

WHEREAS, the proposal had been reviewed and discussed and compared to the Redevelopment Plan and the said proposal comports, in large part, with the goals and objectives of the Redevelopment Plan, and the overall Land Use Plan for the Borough of Fort Lee; and

WHEREAS, the Borough of Fort Lee determined it to be in its best interests to enter into negotiations with COM Officer Developers, LLC, for the purpose of entering into a Redevelopment Agreement addressing the objectives of the Borough of Fort Lee in accordance with the Redevelopment Plan, and to further designate COM Office Developers, LLC, as the designated Redeveloper for the "Project Area", to be designated as Lots 13, 14, 15, and 20 in Block 6101 of Redevelopment Area 1; and

WHEREAS, the proposal submitted by COM Office Developers, LLC, has been evaluated with respect to the qualifications of the proposed redeveloper as to its financial capability, experience, and completion of other urban economic redevelopment projects as well as the proposed terms and compatibility and quality of the overall proposal as it relates to the goals and objectives of the Borough of Fort Lee and the requirements of the Redevelopment Plan and sufficient long-term financial benefits to the Borough of Fort

Lee are demonstrated and shall be realized; and

WHEREAS, the Borough of Fort Lee did enter into a Redevelopment Agreement on January 22, 2004, with COM Office Developers, LLC, officially designating COM Office Developers, LLC, as the Designated Redeveloper for that portion of Redevelopment Area 1 known as the Project Area; and

WHEREAS, pursuant to the requirements of the Redevelopment Agreement, COM Office Developers, LLC was required to and did in fact attempt to negotiate a purchase of the Project Area of Redevelopment Area 1 from the owners and/or representatives of the owner thereof; and

WHEREAS, COM Office Developers, LLC, in accordance with the requirements of the Redevelopment Agreement, has indicated to the Borough of Fort Lee that it is not able to negotiate with the said owners and/or their representatives, and that negotiations had been refused; and

WHEREAS, pursuant to the Redevelopment Agreement, the Borough of Fort Lee is obligated to attempt to itself negotiate and/or condemn the Project Area of Redevelopment Area 1 in accordance with the requirements of New Jersey Statutes conferring redevelopment powers to the Borough of Fort Lee under N.J.S. 40A:12A-8 and the power of Eminent Domain pursuant to N.J.S. 20:3-1, et seq., and in furtherance of the public purpose expressed under the Local Redevelopment and Housing Law at N.J.S. 40A-12A-2 ; and

WHEREAS, the Borough of Fort Lee has retained at the expense of the Designated redeveloper an appraiser and condemnation counsel for the purpose of purchase and/or condemnation of the property known as Project Area 1 in Redevelopment Area 1;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. The Borough of Fort Lee shall acquire, by negotiation and purchase or upon the failure to negotiate a purchase, then through condemnation, the fee simple estate, to all that lot, parcel and property commonly known as 173 Bridge Plaza North, Fort Lee, New Jersey, and consisting of tax lots 13, 14, 15, and 20 in Block 6101 as shown on the official tax map of the Borough of Fort Lee and as further exhibited in Exhibit A to this ordinance.

2. The Director of the Office of Economic Development and the condemnation counsel and special redevelopment counsel shall be authorized to negotiate with the record owner of the property to be acquired, Hudson Terrace Realty Management Corp. having a prior address at 464 Hudson Terrace, Englewood Cliffs, New Jersey 07632, (or such authorized agents, representatives or counsel of the said owner) for the purchase of the property in accordance with the requirements of N.J.S. 20:3-6, based upon the appraisal obtained

from Hannotch Appraisal Company, dated February 25, 2004, and setting as the appraised value the sum of \$~~600,000~~ for purchase of the fee simple title for the property to be acquired and which sum shall constitute the purchase price.

3. In accordance with N.J.S. 20:3-6, if the Borough of Fort Lee cannot acquire fee simple title to the property to be acquired free and clear of all liens and encumbrances by a voluntary purchase from the property owner then and in that event the Borough of Fort Lee does hereby authorize the filing of an action in the Superior Court for the purpose of acquiring by condemnation under N.J.S. 20:3-1, et seq., the property to be acquired, being commonly known as 173 Bridge Plaza North, Block 6101, Lots 13, 14, 15 and 20.

4. Payment of the total purchase price shall be the exclusive obligation of COM Office Developers, LLC, as the same may be determined in accordance with any final condemnation award and secured in accordance with the Redevelopment Agreement. The funds for the purchase price to be paid shall be provided to the Borough of Fort Lee by COM Office Developers, LLC, and shall be in the form of available funds at or prior to the time any offer to purchase is tendered on behalf of the Borough of Fort Lee to the property owner, and shall be in readily available form for deposit with the Court upon the filing of a declaration of taking on behalf of the Borough of Fort Lee.

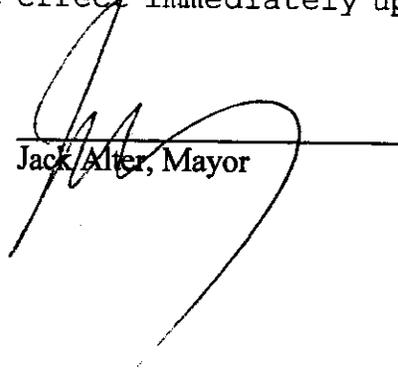
5. The Borough of Fort Lee shall subsequently re-convey Lots 13, 14, 15 and 20 in Block 6101 to COM Office Developers in accordance with the Redevelopment Agreement.

6. This Ordinance shall take effect immediately upon passage at its second reading.

Attest:



\_\_\_\_\_  
Neil Grant  
Municipal Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	M. VILLANO	Date of Introduction	February 26, 2004
Seconded	A. PONAN	Public Hearing	March 11, 2005
		Date of Adoption	March 11, 2004

BOROUGH OF FORT LEE

ORDINANCE #2004-12

**AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 66 TRAFFIC MOVEMENT AND PARKING ON BOARD OF EDUCATION AND MUNICIPAL PROPERTIES, OF THE CODE OF THE BOROUGH OF FORT LEE**

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 66 Traffic Movement and Parking on Board of Education and Municipal Properties, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. Section 388-66 (d), Fort Lee Public Library Parking Lot, is hereby amended as follows:

Section 388-66 (d) Fort Lee Public Library Parking Lot.

Parking in the Fort Lee Public Library parking lot shall be restricted to persons using the library facilities and/or related permitted activities for up to a period of three (3) hours. The Fort Lee Police Department is hereby authorized to post appropriate signage and to enforce the provisions hereof. The Fort Lee Police Department and/or the Fort Lee Parking Authority shall have the right to issue parking summonses for violation of this section and Section 388-35 of this chapter. Further, the Fort Lee Police Department and/or the Fort Lee Parking Authority shall have the right to tow and/or boot any vehicle which is in violation of this section.

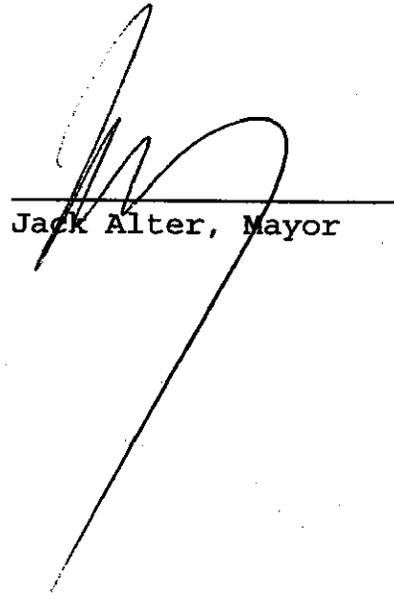
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

**ATTEST:**

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	M. Villano	Date of Introduction	March 11, 2004
Seconded	M. SARGENT	Public Hearing	March 25, 2004
		Date of Adoption	March 25, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-13

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 90 OF THE ORDINANCES OF THE BOROUGH OF FORT LEE BY ESTABLISHING THE PART-TIME POSITION OF CLASS ONE SPECIAL LAW ENFORCEMENT OFFICERS.**

WHEREAS, the Borough of Fort Lee ("Borough") has, in recent years, experienced unexpected increases in the flow of motor vehicle traffic on the highways and roads in the Borough; and

WHEREAS, this increased traffic flow frequently, but unpredictably, cause severe traffic congestion in and about the Borough's highways and roads; and

WHEREAS, the said traffic congestion has and continues to cause roadway gridlock conditions which imperil the passage of emergency vehicles and interfere with the normal flow of persons and commerce in and through the Borough; and

WHEREAS, the location of the western terminus of the George Washington Bridge ("Bridge") and its connecting road network situated in the Borough; and

WHEREAS, the Bridge, its connecting road network and support facilities have been identified as possible terrorist targets and/or evacuation routes from the City of New York; and

WHEREAS, the Borough deems that it is in the interest of public's safety and convenience to have available to it a part-time, on call, force of trained Special Law Enforcement Officers ("Special Officers") to assist and supplement the regular public safety departments of the Borough in unexpected and expected public safety situations involving vehicular traffic, crowd control, security and related activities and emergencies, all as authorized and delimited by N.J.S.A. 40A:14-118 and 40A:14-146.10 et seq.; and

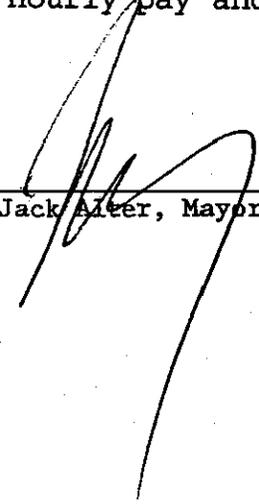
WHEREAS, the establishment of a compliment of Special Officers is deemed to be a component part of the Borough's ongoing reorganization of its public safety departments under the direction of a Director of Public Safety,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough that Chapter 90 of the Borough Ordinances is hereby amended and supplemented as follows:

**Section 90-15:**

1) The Mayor, with the consent of the Council, may appoint, from time to time, part-time Class One Special Law Enforcement Officers (currently defined by N.J.S.A. 40A:14-146.11) as authorized by and in accordance with New Jersey Statutes (currently N.J.S.A. 40A:14-118 and 146.10 et seq.), as same may be later amended, for terms not exceeding one year. The said Class One Special Law Enforcement Officers shall possess and exercise all the powers and duties provided by said statutes, to the extent authorized by the Chief of Police, during their term in office, but shall not be considered or continued as regular members of the Police Department. They shall not be entitled to tenure or to the benefits of a Classified Employee in the Civil Service and shall enjoy only that hourly pay and/or benefits as the Mayor and Council may grant.

ATTEST:

  
\_\_\_\_\_  
Jack Alter, Mayor

  
\_\_\_\_\_  
Neil Grant  
Municipal Clerk

Introduced	<u>J. Cravens</u>	Date of Introduction	<u>March 25, 2004</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>April 8, 2004</u>
		Date of Adoption	<u>April 8, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-14

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14  
ESTABLISHING TITLES, SALARIES AND WAGES FOR WHITE  
COLLAR EMPLOYEES AND 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 White Collar Personnel Schedule "A" shall be amended to include the following titles, minimum salary and salary ranges for the following positions.

<u>Titles</u>	<u>2004</u>	<u>2005</u>
Cook	\$26,168	\$27,084
Supervising Clerk Typist	\$38,570	\$39,920
Claims Examiner, Workers Compensation, Typing	\$37,045	\$38,342

<u>Salary Ranges</u>	<u>2004-2005</u>
Cook	\$20,000 - \$35,000
Supervising Clerk Typist	\$35,000 - \$55,000
Claims Examiner, Workers Compensation, Typing	\$30,000 - \$45,000

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

ATTEST:

Neil Grant

Neil Grant  
Borough Clerk

Jack Alter, Mayor

Introduced	<u>J. Coopers</u>	Date of Introduction	<u>March 25, 2004</u>
Seconded	<u>A. Pohan</u>	Public Hearing	<u>April 8, 2004</u>
		Date of Adoption	<u>April 8, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-15

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51 AND ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS (SCHEDULE A)**

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 Personnel Schedule "A" shall be amended to include the title, salary and salary range for the following position.

**Title**

Director of Cultural and Heritage Affairs

<u>2004 Salary</u>	<u>2005 Salary</u>	<u>Salary Range 2004-2005</u>
\$51,750	\$53,561	\$50,000 - \$60,000

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

ATTEST:

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

*[Signature]*  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. Cervigni</u>	Date of Introduction	<u>April 8, 2004</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>April 22, 2004</u>
		Date of Adoption	<u>April 22, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-16

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14  
ESTABLISHING TITLES, SALARIES AND WAGES FOR WHITE  
COLLAR EMPLOYEES AND 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 White Collar Personnel Schedule "A" shall be amended to include the following title, minimum salary and salary range for the following position.

<u>Title</u>	<u>2004</u>	<u>2005</u>
Senior Clerk Typist/Planning Administrator	\$42,655	\$44,148

<u>Salary Range</u>	<u>2004-2005</u>
Senior Clerk Typist/Planning Administrator	\$35,000 - \$50,000

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

ATTEST:

Neil Grant

Neil Grant  
Borough Clerk

Jack Alter, Mayor

Introduced	<u>J. CURVIER</u>	Date of Introduction	<u>April 8, 2004</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>April 22, 2004</u>
		Date of Adoption	<u>April 22, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-17

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

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 388-44, Schedule IV: Parking Prohibited Certain Hours, of the Code of the Borough of Fort Lee, is hereby amended and supplemented as follows:

Section 1. That Chapter 388, Vehicles and Traffic, Section 388-44, Schedule IV: Parking Prohibited Certain Hours, is hereby supplemented to add an additional street as follows:

§388-44 Schedule IV: Parking Prohibited Certain Hours

Name of Street	Side	Time	Hours	Location
Main Street	Both	3 hours	5:00 a.m. to 8:00 a.m. Monday thru Friday	Entire Length

Section 2. In accordance with Section 388-11, Parking Time Limited on All Streets, in no event can any vehicle be parked on Main Street for longer than the time limit shown in Schedule IV at any time between the hours and days listed in Schedule IV. Vehicles so parked will be deemed a nuisance, and any police officer of the Borough of Fort Lee may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.

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

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

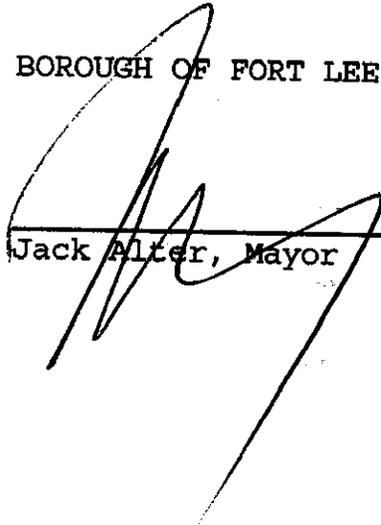
Section 5. This Ordinance shall take effect upon passage and publication as provided by law.

ATTEST:

BOROUGH OF FORT LEE

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. CLAVIAS</u>	Date of Introduction	<u>April 8, 2004</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>April 22, 2004</u>
		Date of Adoption	<u>April 22, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-18

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

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 388-48, Schedule V: Time Limit Parking, of the Code of the Borough of Fort Lee, is hereby amended and supplemented as follows:

Section 1. That Chapter 388, Vehicles and Traffic, Section 388-48, Schedule V: Time Limit Parking, is hereby supplemented to add an additional street as follows:

§388-48 Schedule V: Time Limit Parking

Name of Street	Side	Time	Hours	Location
16 <sup>th</sup> Street	East Side	2 hours	8:00 a.m. to 10:00 p.m.	Edsall Blvd. to Anderson Ave.
Inwood Terrace	West Side	2 hours	8:00 a.m. to 10:00 p.m.	Edsall Blvd. to Anderson Ave.

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

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

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

ATTEST:

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

BOROUGH OF FORT LEE

*[Signature]*  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	J. CURVENS	Date of Introduction	April 8, 2004
Seconded	M. SARGENT	Public Hearing	April 22, 2004
		Date of Adoption	April 22, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-19

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51 AND ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS (SCHEDULE A)**

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 Personnel Schedule "A" shall be amended to include the title, salary and salary range for the following position.

**Title**

Assistant Public Works Superintendent

<u>2004 Salary</u>	<u>2005 Salary</u>	<u>Salary Range 2004-2005</u>
\$91,717	\$94,927	\$85,000 - \$100,000

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

ATTEST:

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

*[Signature]*  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. Carver</u>	Date of Introduction	<u>April 22, 2004</u>
Seconded	<u>M. Villano</u>	Public Hearing	<u>May 13, 2004</u>
		Date of Adoption	<u>May 13, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-20

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14  
ESTABLISHING TITLES, SALARIES AND WAGES FOR WHITE  
COLLAR EMPLOYEES AND 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 White Collar Personnel Schedule "A" shall be amended to include the following title, minimum salary and salary range for the following position.

<u>Title</u>	<u>2004</u>	<u>2005</u>
Inventory Control Clerk	\$21,000	\$21,735

<u>Salary Range</u>	<u>2004-2005</u>
Inventory Control Clerk	\$20,000 - \$25,000

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

ATTEST:

Neil Grant

Neil Grant  
Borough Clerk

Jack Alter Mayor

Introduced	J. Cervigni	Date of Introduction	April 22, 2004
Seconded	M. Villano	Public Hearing	May 13, 2004
		Date of Adoption	May 13, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-21

**AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$250,000 TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE FEDERAL HIGHWAY ADMINISTRATION FOR THE DOWNTOWN PEDESTRIAN IMPROVEMENT PROJECT (PHASE IIA STREETScape PROJECT) 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 (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:**

Section 1. The \$250,000 to be received from the State of New Jersey Department of Transportation and the Federal Highway Administration is hereby appropriated for the purpose of providing funds for the Downtown Pedestrian Improvement Project (Phase IIA Streetscape Project), including but not limited to highway planning and research, preliminary engineering, right-of way, construction and MCSAP 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.

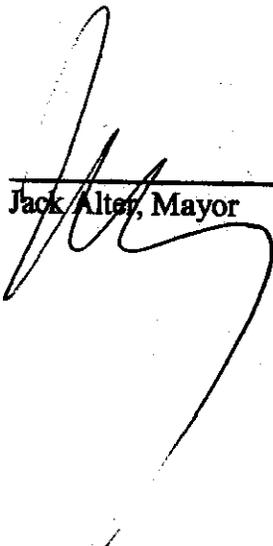
Section 3. This ordinance shall take effect in accordance with law.

Approved:



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Neil Grant  
Borough Clerk



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Jack Alter, Mayor

Introduced	<u>A. POKAN</u>	Date of Introduction	<u>May 13, 2004</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>May 27, 2004</u>
		Date of Adoption	<u>May 27, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-22

**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 2004 as indicated below:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Matthew Skelley	Public Defender	\$17,496
Matthew Fierro	Prosecutor	\$17,496
Philip Tornetta	Prosecutor	\$17,496
Dennis Oury	Board of Adjustment Attorney	\$18,470
Lee Cohen	Labor Attorney	\$89,550
Joseph Marinello	Rent Leveling Board Attorney	\$16,623
Bruce Bonaventuro	C-3 Wastewater Operator	\$ 8,500

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

ATTEST:

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

*Jack Alter*  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>May 13, 2004</u>
Seconded	<u>A. POWAN</u>	Public Hearing	<u>May 27, 2004</u>
		Date of Adoption	<u>May 27, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-23

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 316, SECTION 1, OF THE BOROUGH OF FORT LEE CODE ENTITLED "FEES FOR COPIES AND SERVICES"**

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

**Section I.** Chapter 316, Section 1, of the Fort Lee Code entitled "Fees for Copies and Services", be and the same is hereby amended and supplemented by the addition thereto of the following:

I. Reproduction Costs.

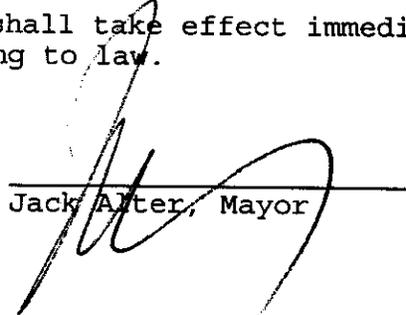
- (1) When the Borough does not have the ability to reproduce a document for a person requesting such document, the exact reproduction cost charged to the Borough will be passed on to the requestor with no other administrative charges added in.

**Section II.** All other parts, portions and provisions of Chapter 316 of the Fort Lee Code entitled "Fees for Copies and Services" 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:

  
 Jack Alter, Mayor



Neil Grant  
 Borough Clerk

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>May 13, 2004</u>
Seconded	<u>A. PENN</u>	Public Hearing	<u>May 27, 2004</u>
		Date of Adoption	<u>May 27, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-24

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 42, SECTION 2, COMPOSITION OF THE "ADVISORY COMMITTEE FOR THE DISABLED," OF THE BOROUGH OF FORT LEE CODE**

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

Section I. Chapter 42, Section (2A), of the Fort Lee Code entitled "Advisory Committee for the Disabled", be and the same is hereby repealed and replaced with the following:

The Committee shall be comprised of at least seventeen (17), and no more than nineteen (19) persons, at least fifty-one (51) percent of which shall be persons with disabilities, or parents of a child with a disability, or a resident family member who is the care-giver of a person with a disability. The balance of the Committee shall be composed of the following Borough Departments or representatives: Liaison of the Mayor and Council, Building, **General Services**, Recreation, Parks, Parking Authority, School District, one of the Emergency Services (either Police, Fire or Emergency Management), and a member of the Business Community.

Section II. All other parts, portions and provisions of the Fort Lee Zoning Code be and the same are hereby confirmed and ratified except where inconsistent with the terms hereof. In the event of any inconsistency, the terms and provisions hereof shall govern.

Section III. 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>May 13, 2004</u>
Seconded	<u>A. PUGHAN</u>	Public Hearing	<u>May 27, 2004</u>
		Date of Adoption	<u>May 27, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-25

AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 388, SECTION 44, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V. Schedules, Section 388-44, Schedule IV: Parking Prohibited Certain Hours, of the Code of the Borough of Fort Lee, is hereby amended, revised and supplemented as follows:

Section 1. That Chapter 388, Vehicles and Traffic, Section 388-44, Schedule IV: Parking Prohibited Certain Hours, is hereby revised and supplemented to add an additional street as follows:

§388-44 Schedule IV: Parking Prohibited Certain Hours

Name of Street	Side	Time	Hours	Location
Main Street	Both	3 hours	5:00 a.m. to 8:00 a.m. Monday thru Sunday	Entire Length

Section 2. In accordance with Section 388-11, Parking Time Limited on All Streets, in no event can any vehicle be parked on Main Street for longer than the time limit shown in Schedule IV at any time between the hours and days listed in Schedule IV. Vehicles so parked will be deemed a nuisance, and any police officer or the Parking Authority of the Borough of Fort Lee may provide for the immobilization ("booting") and the towing of such vehicle. The owner shall pay the reasonable costs

towing of such vehicle. The owner shall pay the reasonable costs of immobilization, towing and storage which may result from such removal before regaining possession of the vehicle.

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

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

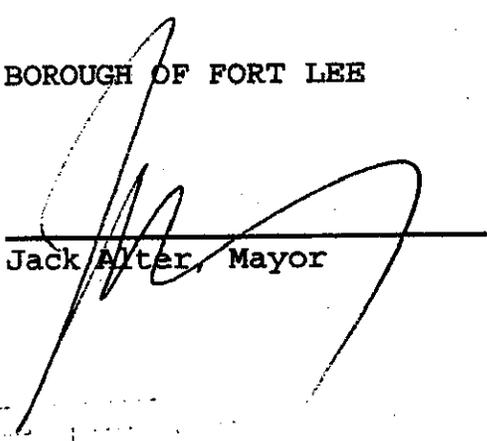
Section 5. This Ordinance shall take effect upon passage and publication as provided by law.

ATTEST:

BOROUGH OF FORT LEE

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>May 27, 2004</u>
Seconded	<u>A. Pohan</u>	Public Hearing	<u>June 10, 2004</u>
		Date of Adoption	<u>June 10, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-26

**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, CHAPTER 216, SECTION 6(35) AND CHAPTER 289, SECTIONS 15B, AND 36I TO IMPLEMENT THE ADDITIONAL FINE AUTHORIZED HEREBY**

WHEREAS, the State of New Jersey has recently adopted legislation which requires that municipalities collect an additional \$1 for motor vehicle violations in order to fund the newly created "Brain Injury Research Act Law",

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:

A. All Borough of Fort Lee parking/traffic Fines are hereby increased by \$2 to fund the Automated Traffic System (ATS), which system is to be provided to the Borough by the State of New Jersey.

J. All Borough of Fort Lee parking/traffic violations fines are hereby increased by \$1 to fund the "Brain Injury Research Act Law," which monies are to be paid to the State of Jersey.

**Section II.** Chapter 388, Sections 4A, 5, 6, 7, 8, 9, 10, 11, 12, 15, 17, 18, 35, 36, 37 and 38, of the Fort Lee Code entitled "Fee Schedule," be and are hereby amended to reflect a fine of \$25 for violations thereof.

**Section III.** Chapter 388, Section 32 of the Fort Lee Code entitled "Fee Schedule," be and is hereby amended to reflect a fine of \$250 for violations thereof.

**Section IV.** Chapter 216, Section 6 (35) of the Fort Lee Code entitled "Fire Prevention Code - Fire Zones," is hereby amended to provide a fine of \$64 for violations thereof.

**Section V.** Chapter 289, Section 15B is hereby amended to reflect a fine of \$25 for violations thereof.

**Section VI.** Chapter 289, Section 36I is hereby amended to reflect a fine of \$25 for violations thereof.

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

Attest:



Neil Grant  
Borough Clerk

  
JAN 11 11 11 AM '07  
Michael Villano, Council President

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>May 27, 2004</u>
Seconded	<u>A. PUNAN</u>	Public Hearing	<u>June 10, 2004</u>
		Date of Adoption	<u>June 10, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-27

AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF REAL PROPERTY LOCATED IN THE BOROUGH OF FORT LEE AND APPROPRIATING \$2,250,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,137,500 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 \$2,250,000 including the sum of \$112,500 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 \$2,137,500 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 acquisition of property at 95 Main Street, specifically Block 4802, Lots 2, 3 and 4 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 Section 11 of Chapter 15 of the 2003 Public Laws of the State of New Jersey. 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 40 years.

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*

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Neil Grant, Borough Clerk

*Michael Villano*

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JAN 14 11 47 AM '07

Michael Villano, Council President

Introduced	<u>A. POHAN</u>	Date of Introduction	<u>May 27, 2004</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>June 10, 2004</u>
		Date of Adoption	<u>June 10, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-28

**ORDINANCE FOR THE ACQUISITION OF REAL PROPERTY BY PURCHASE OR CONDEMNATION CONSISTING OF LOTS 2, 3, AND 4 IN BLOCK 4805 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE AND COMMONLY KNOWN AS 95 MAIN STREET IN THE BOROUGH OF FORT LEE**

**WHEREAS**, the Borough of Fort Lee has been working with the County of Bergen and the Port Authority of New York and New Jersey to re-align Main Street at its eastern terminus and the Borough has also conducted previous Borough-wide traffic studies; and

**WHEREAS**, the Borough has previously noted a need to widen a portion of Main Street and, towards that end, has obtained appraisals for the purposes of determining the fair market values of properties potentially affected by the widening of Main Street, said properties being Lots 2 through 8 in Block 4806 and Lots 2, 3, and 4 in Block 4805, the latter lots in Block 4805 being commonly known as 95 Main Street; and

**WHEREAS**, the Borough has determined that it is necessary to acquire the premises known as Block 4805, Lots 2, 3, and 4, commonly known as 95 Main Street for public purposes including but not limited to the re-alignment of lower Main Street and provision of additional parking and/or infrastructure improvements to ease traffic congestion; and

**WHEREAS**, the Borough did obtain an appraisal of Lots 2, 3, and 4 in Block 4805 dated May 3, 2004, submitted by the Hannoeh Appraisal Company appraising the fee simple title in the said property as being valued at the sum of \$2,100,000.00 as of March 18, 2004, and the Borough having approved and accepted the said value; and

**WHEREAS**, the owner of the property at 95 Main Street has been made aware of the intention of the Borough to purchase the said property and/or condemn it pursuant to the Eminent Domain Act for public purposes and has requested that the Borough proceed to do so forthwith without proceeding through the negotiation stage set forth at N.J.S.A. 20:3-6,

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

1. The Borough of Fort Lee shall acquire, through condemnation, the fee simple estate to all that lot, parcel and property commonly known as 95 Main Street in the Borough of Fort Lee, New Jersey, and consisting of Tax Lots 2, 3, and 4 in Block 4805, all of the said property constituting vacant land.

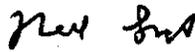
2. The purchase price to be paid for the property shall be the appraised value established by the accepted and approved appraisal of the Hannotch Appraisal Company setting the fee simple title in the property as having a value of \$2,100,000.00 as of March 18, 2004.

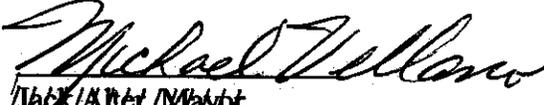
3. In accordance with the prior waiver of the owner of Lots 2, 3 and 4 in Block 4805 of any period of negotiation, the Borough shall submit a copy of the appraisal report to the owner of record and an Offer to Purchase at the approved price of \$2,100,000.00, and, without further negotiation to proceed upon the effective date of this ordinance, to file a condemnation action and to proceed with all necessary process to deposit the purchase price with the Superior Court upon the filing of a Declaration of Taking.

4. The funds to be made available for this purchase are to be derived from the passage of a bond ordinance relatively contemporaneously with this ordinance.

5. This ordinance shall take effect immediately upon passage at its second reading and upon the Borough having access to the available funds from the bond.

ATTEST:

  
\_\_\_\_\_  
Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
/s/ Michael Villano  
Michael Villano, Council President

Introduced	<u>A. PENN</u>	Date of Introduction	<u>July 1, 2004</u>
Seconded	<u>M. VILANO</u>	Public Hearing	<u>July 22, 2004</u>
		Amendments (Public Hearing)	<u>August 4, 2004</u>
		Date of Adoption	<u>August 4, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-29

**AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 5 AND TO AMEND THE ZONING MAP TO DELINEATE REDEVELOPMENT AREA 5**

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee authorized the Planning Board of the Borough of Fort Lee, by Resolution of May 27, 2004, to conduct an investigation and hearing, in accordance with the requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6, to determine if a certain area located in the Borough of Fort Lee should be determined to be an area in need of redevelopment; and

**WHEREAS**, the area considered by the Planning Board was designated as Redevelopment Area 5 and consists of Tax Block 4801, Lot 1 and Block 4801, Lot 3, as further defined within this Ordinance; and

**WHEREAS**, the Planning Board did conduct a hearing pursuant to notice and review the investigation report obtained for that purpose and did further, at the conclusion of the said hearing held on June 21, 2004, recommend to the Mayor and Council of the Borough of Fort Lee that Area 5 be determined to be an area in need of redevelopment; and

**WHEREAS**, by Resolution of July 1, 2004, the Mayor and Council of the Borough of Fort Lee did review and accept the recommendation of the Planning Board that Redevelopment Area 5 be considered an area in need of Redevelopment as the said area met the statutory criteria of N.J.S.A. 40A:12A-5 b, d and e and the Mayor and Council did further direct that all other necessary notices be provided in accordance with N.J.S.A. 40A:12A-6(5); and

**WHEREAS**, the Mayor and Council of the Borough of Fort Lee, in accordance with the provisions of N.J.S.A. 40A:12A-7 did further review a proposed Redevelopment Plan for Redevelopment Area 5; and

**WHEREAS**, the Mayor and Council have preliminarily approved the Redevelopment Plan attached hereto as Exhibit B to this Ordinance and in accordance with N.J.S.A. 40A:12A-7, it is required to submit the proposed Redevelopment Plan for Redevelopment Area 5 to the Planning Board for its review and report prior to taking final action on the adoption of this Ordinance to adopt the Redevelopment Plan for Redevelopment Area 5 and to amend the official Zoning Map of the Borough to indicate Redevelopment Area 5 as Redevelopment Zone D-5,

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

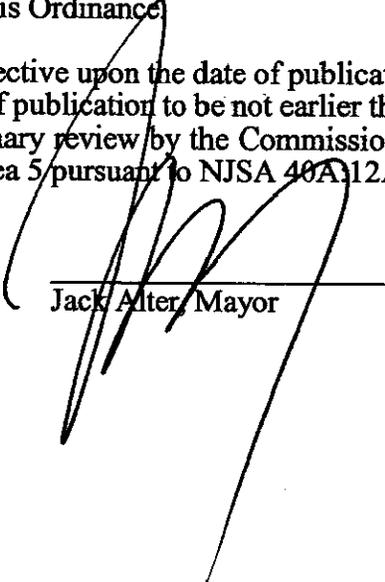
Article 1. That Redevelopment Area 5 consisting of Tax Block 4801, Lot 1 (2818 to 2038 Lemoine Avenue) and Tax Block 4801, Lot 3 (181 Main Street), being formerly known as Block 4801, Lots 1, 3, 7, 8, 9, 10 and 11; Block 4802, Lot 1; Block 4803, Lot 1, and as further depicted on the excerpt of the Tax Map attached hereto as Exhibit A, shall be deemed subject to the Redevelopment Plan for Redevelopment Area 5, a true copy of which is attached hereto as Exhibit B, subject to the provisions of the this Ordinance.

Article 2. That Redevelopment Area 5 be shown as a Redevelopment Zone D-5 on the official Zoning Map of the Borough of Fort Lee, and the official Zoning Map of the Borough of Fort Lee is hereby amended as illustrated on the attached Exhibit C to this Ordinance.

Article 3. That the Redevelopment Plan for Redevelopment Area 5 attached hereto as Exhibit B be and the same is hereby adopted, subject to compliance with N.J.S.A. 40A:12A-7e and the additional requirement for referral to the Planning Board having been satisfied prior to presentation for final adoption and hearing on this Ordinance.

Article 4. This Ordinance shall be effective upon the date of publication in the official newspaper by the Borough Clerk, the said date of publication to be not earlier than August 5, 2004 to provide for the required period for discretionary review by the Commissioner of Community Affairs of the designation of Redevelopment Area 5 pursuant to NJSA 40A:12A-6(5).

ATTEST:



\_\_\_\_\_  
Jack Alter, Mayor

  
\_\_\_\_\_  
Neil Grant  
Borough Clerk



Study Area



Building Location

**Figure 3: Building Locations  
within the Study Area**

Phillips Preiss Shapiro Associates, Inc. 2004

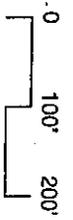
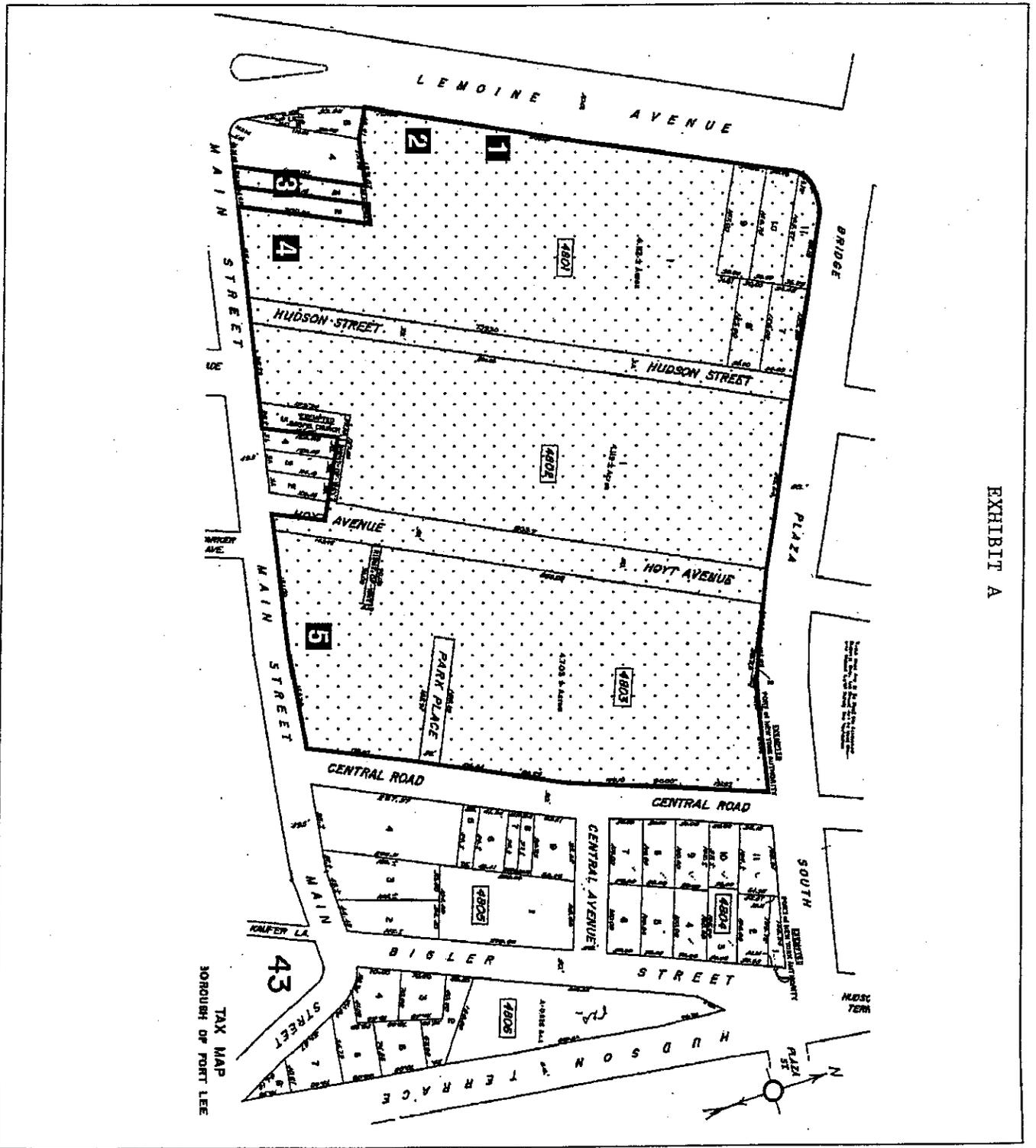


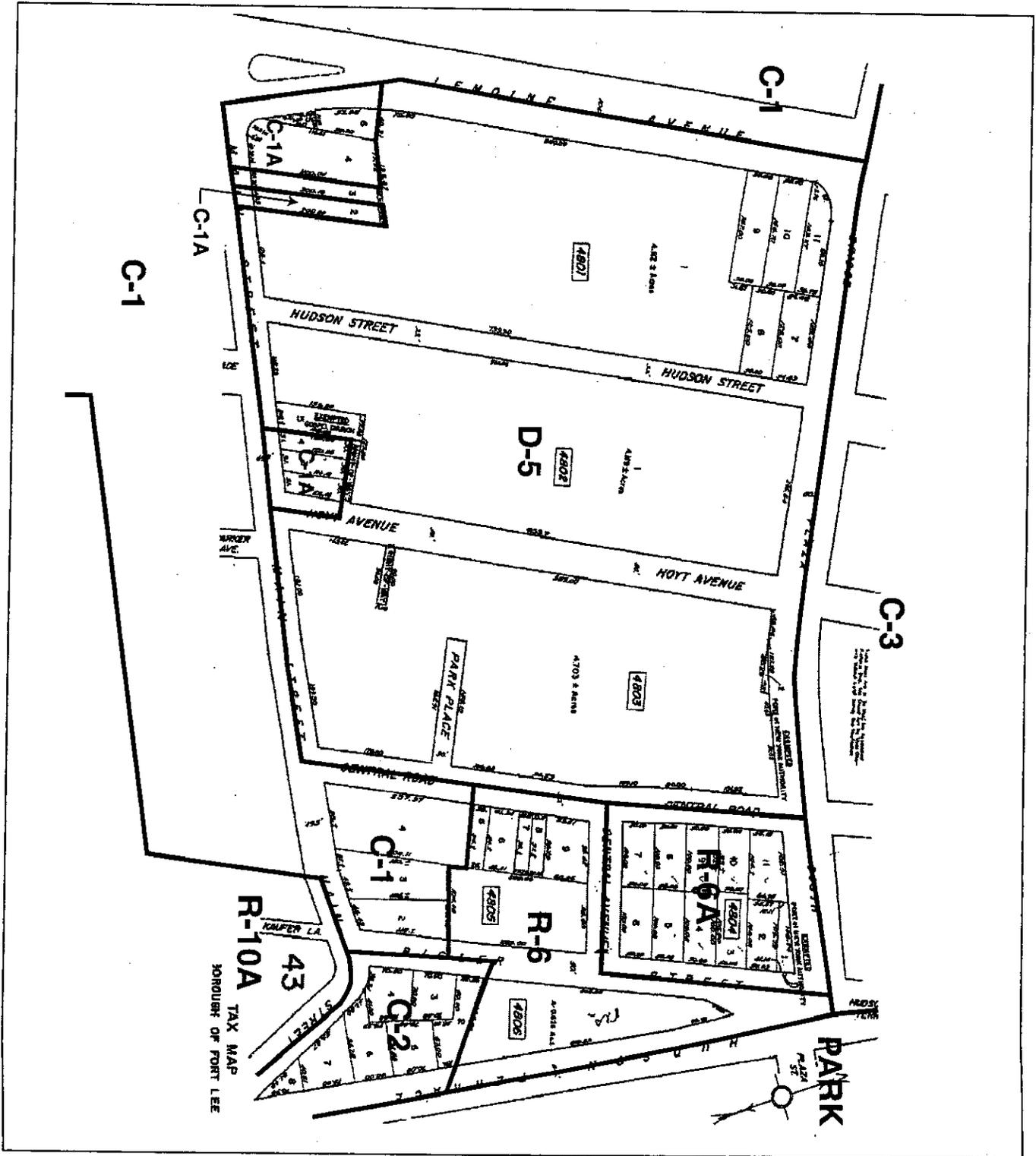
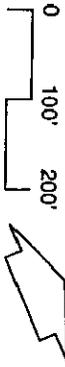
EXHIBIT A



TAX MAP  
BOROUGH OF FORT LEE

Zoning District Boundary

**Exhibit C: Proposed Zoning District Boundaries**  
Phillips Preiss Shapiro Associates, Inc. 2004



Introduced	<u>J. Cervase</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A. P. HAN</u>	Public Hearing	<u>August 19, 2004</u> <del>JULY 22, 2004</del>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-30

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 \$2,738,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,601,100 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 \$2,738,000, including the aggregate sum of \$136,900 as the down payments for the improvements or purposes pursuant to the Local Bond Law. The down payments have been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

CAPITAL ORDINANCE & CLERKS CERTS

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 \$2,601,100 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 and installation of a new boiler in the Borough's Library, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$35,000
<u>Maximum Amount of Bonds or Notes:</u>	\$33,250
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 1,750

- (2) Purpose: Purchase of a high quality laser printer for the Borough Clerk's office, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$4,000
<u>Maximum Amount of Bonds or Notes:</u>	\$3,800
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 200

- (3) Purpose: Purchase of items for the Ambulance Corps including three (3) suction units, two (2) defibrillator units, twenty-five (25) turn out coats, and a Fob system for all doors in VAC and remodeling of the kitchen in the Ambulance Building, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$55,000
<u>Maximum Amount of Bonds or Notes:</u>	\$52,250
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,750

- (4) Purpose: Purchase of pagers and portable radios for the Department of Emergency Management, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$12,000
<u>Maximum Amount of Bonds or Notes:</u>	\$11,400
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 600

- (5) Purpose: Purchase of forty (40) pagers for the Fire Department, six (6) LED lightbars for the Police Department and LED upgrade for traffic signals, 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

- (6) Purpose: Purchase of a VAC ALL truck and a pick-up truck for the Department of Public Works, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$190,000
<u>Maximum Amount of Bonds or Notes:</u>	\$180,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 9,500

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

<u>Appropriation and Estimated Cost:</u>	\$65,000
<u>Maximum Amount of Bonds or Notes:</u>	\$61,750
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 3,250

- (8) 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>	\$300,000
<u>Maximum Amount of Bonds or Notes:</u>	\$285,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 15,000

- (9) 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>	\$44,000
<u>Maximum Amount of Bonds or Notes:</u>	\$41,800
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,200

- (10) Purpose: Construction of a retaining wall at the Department of Public Works Lower Yard, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$300,000
<u>Maximum Amount of Bonds or Notes:</u>	\$285,000
<u>Period or Average Period of Usefulness:</u>	30 years
<u>Amount of Down Payment:</u>	\$ 15,000

- (11) Purpose: Purchase of equipment for the Department of Public Works/Parks Department, including a new lift in Mechanics Shop, a new door for the old DPW garage, a new bucket for a 621 Payloader and street lining (thermoplasts), including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$75,500
<u>Maximum Amount of Bonds or Notes:</u>	\$71,725
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 3,775

(12) Purpose: Improvements to tennis courts, purchase of a tractor lawn mower and the purchase and planting of twenty (20) trees on Abbott Blvd., including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$110,500  
Maximum Amount of Bonds or Notes: \$104,975  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 5,525

(13) Purpose: Purchase of a copy machine, a utility truck and repairs and renovations to the youth center, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$10,500  
Maximum Amount of Bonds or Notes: \$ 9,975  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 525

(14) Purpose: Purchase of desk computers and two four wheel drive vehicles for the Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$80,000  
Maximum Amount of Bonds or Notes: \$76,000  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 4,000

(15) Purpose: Purchase of computer system for the Rent Leveling Department, including all work and materials necessary therefor or incidental thereto.

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

(16) Purpose: Purchase of equipment and vehicles for the Fire Department, including thermal imaging cameras, replacement of Battalion Chief's vehicle, upgrade of self contained breathing apparatus units, rapid intervention tools, a fire hose and automatic transfer switches for fire house generators, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$140,000  
Maximum Amount of Bonds or Notes: \$133,000  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 7,000

(17) Purpose: Purchase of three (3) three-seater modular seating units by the Recreation Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 1,500  
Maximum Amount of Bonds or Notes: \$ 1,425  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 75

(18) Purpose: Renovations and improvements to the Senior Citizens Center, including, but not limited to, the purchase of computers, tables, chairs, air conditioning unit and carpeting and renovations to the first floor, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$70,000  
Maximum Amount of Bonds or Notes: \$66,500  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 3,500

(19) Purpose: Improvements to various Municipal Buildings, a complete list of which is available at the Borough Clerk's Office, including all work and materials necessary therefor or incidental thereto.

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

(20) Purpose: Upgrades to the Borough Administration's phone systems and the computer systems of the Finance Department, 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>	5 years
<u>Amount of Down Payment:</u>	\$ 3,750

(21) Purpose: Upgrades to the Police Department's HVAC system, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$600,000
<u>Maximum Amount of Bonds or Notes:</u>	\$570,000
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 30,000

(22) Purpose: Streetscape improvements to various streets in the Borough, as set forth on a list on file in the 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

(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 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 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 12.896 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 \$2,601,100 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) 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.

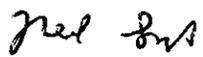
Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad 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.

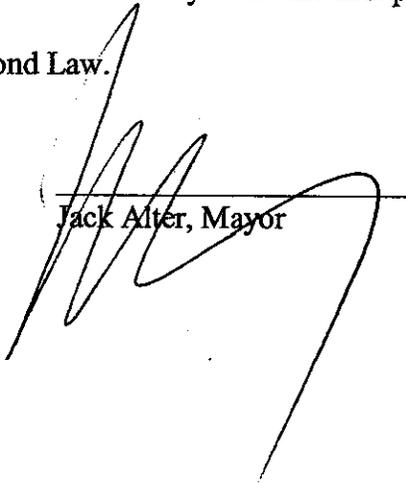
Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated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

  
\_\_\_\_\_  
Neil Grant  
Municipal Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A. POYAN</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-31

AN ORDINANCE OF THE BOROUGH OF FORT LEE IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE DOWNTOWN PEDESTRIAN IMPROVEMENT PROJECT (PHASE IIA STREETScape PROJECT) AND APPROPRIATING \$400,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$380,000 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 general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$400,000 including the sum of \$20,000 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. The borrower has heretofore appropriated under ordinance 2004-21 of said Borough \$250,000 in grants received from the Bond Ordinance 2004-31

State of New Jersey Department of Transportation and an ISTEA grant received from the Federal Department of Transportation for the improvement or purpose described in Section 3 of this bond ordinance.

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 \$380,000 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 Downtown Pedestrian Improvement Project (Phase IIA Streetscape Project), including but not limited to highway planning and research, preliminary engineering, right-of way, construction and MCSAP, all as shown on and in accordance with the plans and specifications therefor on file in the Clerk's Office, and including all structures, work, equipment 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 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. 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 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 \$380,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An 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 improvement or purpose.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose 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, and not otherwise appropriated, 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. The Borough Council of the Borough hereby covenants on behalf of the Borough 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.

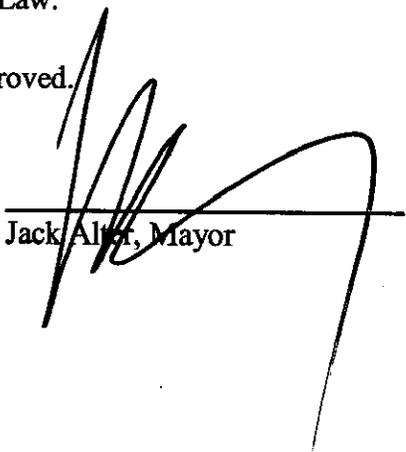
Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is hereby approved.

Attest:

*Neil Grant*

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

  
\_\_\_\_\_  
Jack Altier, Mayor

Introduced	<u>J. CERVINO</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A. POWAN</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-32

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 63, SCHEDULE XVIII, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "VEHICLES AND TRAFFIC"**

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

**Section I.** Chapter 388, Section 63, Schedule XVII, entitled "Vehicles and Traffic: Lane Use Reservations" be and the same is hereby amended as follows:

Sylvan Street and North Central Road.

Sylvan Street shall be **deleted** and Merkle Street shall be **added** to read as follows:

Merkle Street and North Central Road. The left lane, as the road approaches North Central Road, shall be marked for left turn only and the right lane, as the road approaches North Central Road, marked for right turn only.

**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 CERVENKA</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A PUNAN</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-33

**AN ORDINANCE AMENDING CHAPTER 316, PUBLIC RECORDS, SECTION 316-1 FEES FOR COPIES AND SERVICES, OF THE CODE OF THE BOROUGH OF FORT LEE**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee, that Chapter 316, Public Records, Section 316-1 Fees for Copies and Services, of the Code of the Borough of Fort Lee, is hereby amended as follows:

SECTION I: Section 316-1, Fees, is hereby amended as follows:

B: In the event said public records are requested and necessitate the location and mailing of same to the part requesting said public records, then the additional fees therefore shall be as follows:

(1) Mailing charge: Actual postage plus \$0.25 for stationary related expenses

D. Writs of Discovery:

(1) \$0.75 per page for the first 10 pages

(2) \$0.50 per page for the next 10 pages

(3) \$0.25 per page thereafter

J: Police Accident Reports. In the event that police accident reports are not requested in person and not part of municipal court discovery, copies of the reports shall be made available upon the payment of the following fees:

(1) First three pages: \$5.00

(2) Each page thereafter: \$1.00

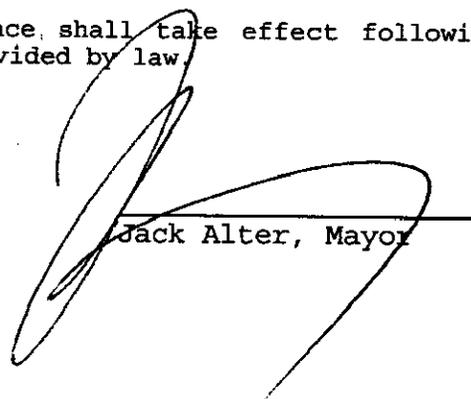
SECTION II: Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

SECTION III: This ordinance shall take effect following adoption and approval in a time and manner provided by law

Attest:

Neil Grant

Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A. Pohan</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004 -34

**AN ORDINANCE AMENDING ORDINANCE #2002-14 ESTABLISHING SALARIES AND WAGES 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 White Collar Employees Schedule "A" shall be amended as follows:

a. Schedule "A" shall be amended to include the title of Plumbing Sub-Code Official

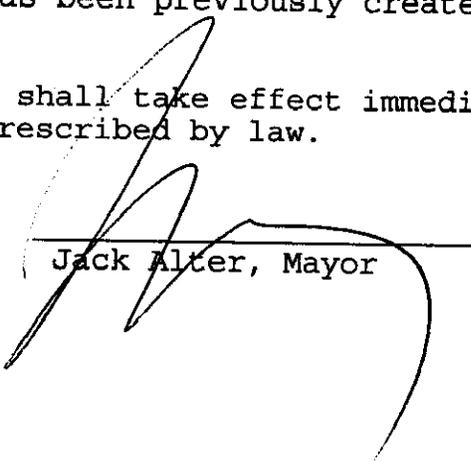
b. Schedule "A" shall be amended to reflect the minimum salary in 2004 and 2005 and salary range for Plumbing Sub-Code Official as follows:

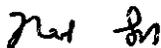
<u>2004</u>	<u>2005</u>	<u>Salary Range</u>
\$36,000	\$37,260	30,000 - 45,000

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

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

ATTEST:

  
 Jack Alter, Mayor



Neil Grant  
 Borough Clerk

Introduced	<u>J. Cervoni</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>A. Pennav</u>	Public Hearing	<u>August 19, 2004</u>
		Tabled:	<u>August 19, 2004</u>
		Date of Adoption	<u><del>August 19, 2004</del></u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-35

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51 AND  
ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS  
(SCHEDULE A)**

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 Personnel Schedule "A" shall be amended to delete the title of Deputy Emergency Management Coordinator

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 <u>J. CAVIERI</u>	Date of Introduction <u>July 22, 2004</u>
Seconded <u>A. PUGHAN</u>	Public Hearing <u>August 19, 2004</u>
	Date of Adoption <u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE #2004-36

**AN ORDINANCE ESTABLISHING THE SALARY FOR THE DIRECTOR OF PUBLIC SAFETY**

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

SECTION I: The Director of Public Safety, Bernard Hart, shall receive an initial salary of \$154,000 and increases as outlined in the relative employment contract for the period from July 22, 2004 through July 21, 2007.

SECTION II: The Borough shall employ Mr. Hart as its Director of Public Safety, subject to the terms of the Amended Employment Agreement.

SECTION III: The Mayor is hereby authorized to execute the Employment Agreement which has been approved as to form and substance by the Borough Attorney.

SECTION IV: This Ordinance shall take effect immediately upon passage and publication.

ATTEST:

*Neil Grant*

Neil Grant  
Borough Clerk

BOROUGH OF FORT LEE

*Jack Alter*  
Jack Alter, Mayor

Introduced	J. CERVIERI	Date of Introduction	July 22, 2004
Seconded	A. PUGHAN	Public Hearing	August 19, 2004
		Date of Adoption	August 19, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-37

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-50 AND PROVIDING THE SALARY FOR THE CHIEF OF POLICE**

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

**SECTION I.** The Chief of Police, Thomas Ripoli, shall receive a salary of \$152,000 during the period from July 22, 2004 through July 21, 2005.

**SECTION II.** The Borough shall employ Mr. Ripoli as its Chief of Police, subject to the statutory probation period and pursuant to the Amended Employment Agreement.

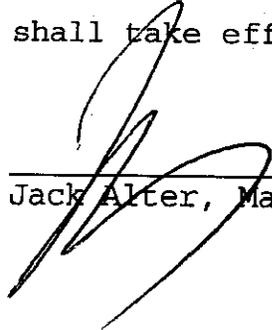
**SECTION III.** The Mayor is hereby authorized to execute the Employment Agreement which has been approved as to form and substance by the Borough Attorney.

**SECTION IV.** This Ordinance shall take effect immediately upon passage and publication.

ATTEST:

*Neil Grant*

Neil Grant  
Borough Clerk

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. CURTIS</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>M. VILLAVE</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-38

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-50 AND PROVIDING THE SALARY FOR THE DEPUTY CHIEF OF POLICE**

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

SECTION I: The Deputy Chief of Police, John J. Reuter, shall receive salaries during the period from July 22, 2004 through December 31, 2006, as set forth herein as follows:

	2004	2005	2006
Deputy Chief	129,543	134,077	138,770

In addition, Deputy Chief Reuter shall receive all other compensation and benefits provided in the Fort Lee Police Administrators Collective Bargaining Agreement.

SECTION II: The Borough shall employ Mr. Reuter as its Deputy Police Chief, subject to the statutory probation period. The compensation, benefits, liabilities, duties and responsibilities contained in the Amended Employment Agreement (but not the permanent appointment, after the expiration of the statutory probationary period) shall expire coextensive with the expiration of the Fort Lee Police Administrators Collective Bargaining Agreement.

SECTION III: The Mayor is hereby authorized to execute the Employment Agreement which has been approved as to form and substance by the Borough Attorney.

SECTION IV: This Ordinance shall take effect immediately upon passage and publication.

ATTEST:

Neil Grant  
Neil Grant, Borough Clerk

Jack Alter, Mayor

Introduced	<u>A. PUGHAN</u>	Date of Introduction	<u>July 22, 2004</u>
Seconded	<u>J. CLAVIERE</u>	Public Hearing	<u>August 19, 2004</u>
		Date of Adoption	<u>August 19, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-39

**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, CHAPTER 216, SECTION 6(35) AND CHAPTER 289, SECTIONS 15B, AND 36I TO IMPLEMENT THE ADDITIONAL FINE AUTHORIZED HEREBY**

WHEREAS, the State of New Jersey has recently adopted legislation which requires that municipalities collect an additional \$3 to modernize and maintain the statewide Automated Traffic System (ATS)

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:

A. All Borough of Fort Lee parking/traffic Fines are hereby increased by \$5 to fund the Automated Traffic System (ATS), which system is to be provided to the Borough by the State of New Jersey.

**Section II.** Chapter 388, Sections 4A, 5, 6, 7, 8, 9, 10, 11, 12, 15, 17, 18, 35, 36, 37 and 38, of the Fort Lee Code entitled "Fee Schedule," be and are hereby amended to reflect a fine of \$28 for violations thereof.

**Section III.** Chapter 216, Section 6 (35) of the Fort Lee Code entitled "Fire Prevention Code - Fire Zones," is hereby amended to provide a fine of \$67 for violations thereof.

**Section IV.** Chapter 289, Section 15B is hereby amended to reflect a fine of \$28 for violations thereof.

**Section V.** Chapter 289, Section 36I is hereby amended to reflect a fine of \$28 for violations thereof.

**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.

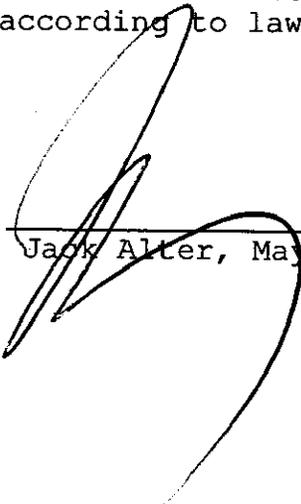
**Section VII.** In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions and provisions of Chapters 388 and 216 are hereby ratified and confirmed, except 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>A PUNAN</u>	Date of Introduction <u>July 22, 2004</u>
	Tabled: <u>July 22, 2004</u>
Seconded <u>M SIKACIA</u>	Public Hearing _____
	Date of Adoption _____

BOROUGH OF FORT LEE

ORDINANCE # 2004-40

**AN ORDINANCE AMENDING CHAPTER 324, RENT CONTROL,  
ARTICLE II RENT INCREASE CALCULATIONS, OF THE CODE  
OF THE BOROUGH OF FORT LEE**

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>August 19, 2004</u>
		Public Hearing	<u>September 9, 2004</u>
Seconded	<u>A. Pohan</u>	Date of Adoption	<u>September 9, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-41

**AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14 AND SALARY ORDINANCE #2004-22 ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES AND CERTAIN NON-UNION EMPLOYEES (SCHEDULE B)**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2002-14 and Ordinance #2004-22 is hereby amended as follows:

**SECTION I:** Non-Union Personnel Schedule "B" shall be amended to reflect the amended salaries for 2004 as indicated below for the Public Defender and Prosecutors:

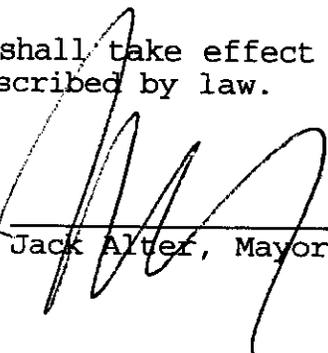
**SECTION II:** Non-Union Personnel Schedule "B" shall be amended to include the salary for 2004 as indicated below for the Planning Board Attorney:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Matthew Skelley	Public Defender	\$25,000
Matthew Fierro	Prosecutor	\$25,000
Philip Tornetta	Prosecutor	\$25,000
Carolyn Kristal	Planning Board Attorney	\$18,470

**SECTION III:** BE IT FURTHER ORDAINED that the salaries for the Public Defender and Prosecutors shall be made retroactive to July 1, 2004.

**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	<u>J. Curvetti</u>	Date of Introduction	<u>September 30, 2004</u>
Seconded	<u>A. P. ...</u>	Public Hearing	<u>October 14, 2004</u>
		Date of Adoption	<u>October 14, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-42  
**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:

1. "388-69: Along the east curb line of 3040 Edwin Avenue, beginning at a point 30 feet 6 inches south of the apex of Edwin Avenue and south driveway entrance/exit and continuing south along the same line extending an additional 20 feet south.
2. Along the south curb line of Park Place beginning at a point 20 feet east of the apex of Park Place and driveway entrance of 410 Park Place and continuing east 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

Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>October 28, 2004</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>November 15, 2004</u>
		Rescheduled to	<u>November 23, 2004</u>
		<del>Date of Adoption</del>	<u>Tabled: November 23, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-43

**AN ORDINANCE AMENDING CHAPTER 372, TAXICABS AND LIMOUSINES, ARTICLE 1 TAXICABS AND ARTICLE II LIMOUSINES, OF THE CODE OF THE BOROUGH OF FORT LEE**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 372, Taxicabs and Limousines, Article 1, Taxicabs and Article II, Limousines, of the Code of the Borough of Fort Lee, are hereby amended as follows:

**Section 1. Section 372-5**, Taxicab owner's licenses limited, is hereby amended as follows:

**Section 372-5.** Taxicab owner's licenses limited.

The total number of taxicab owner's licenses that may be issued and outstanding at any one time is hereby fixed at six (6).

**Section 2. Section 372-14**, License fees, is hereby amended as follows:

**Section 372-14.** License fees.

A. The annual fee for each taxicab driver's license hereafter issued or for any renewal thereof shall be \$10 for each year or portion of a year for which the license is issued or renewed, and all of such licenses shall be under the charge and control of the person applying therefore and he shall be responsible for the operation of all vehicles so licensed to him.

B. The annual fee for each taxicab owner's license hereafter issued or for any renewal thereof shall be \$250 for each year or portion of a year for which the license is issued or renewed, and all of such licenses shall be under the charge and control of the person applying therefore and he shall be responsible for the operation of all vehicles so licensed to him.

C. The annual fee for each taxicab vehicle license hereafter issued or for any renewal thereof shall be \$50 for each year or portion of a year for which the license is issued or renewed, and all of such licenses shall be under the charge and control of the person applying therefore and he shall be responsible for the operation of all vehicles so licensed to him.

**Section 3. Section 372-30**, Classes of licenses, is hereby amended as follows:

**Section 372-30. Classes of licenses.**

B. Limousine owner's license.

(2) The total number of limousine owner licenses that may be issued and outstanding at any one time is hereby fixed at twelve (12).

**Section 4. Section 372-36, License fees, is hereby amended as follows:**

**Section 372-36. License fees.**

- B. The annual fee for each limousine owner's license hereafter issued or for any renewal thereof shall be \$250 for each year or portion of a year for which the license is issued or renewed.
- C. The annual fee for each limousine vehicle license hereafter issued or for any renewal thereof shall be \$50 for each year or portion of a year for which the license is issued or renewed, and all such licenses shall be under the charge and control of the limousine owner and said owner shall be responsible for the operation of all vehicles so licensed under his name.
- D. A \$50 fee shall be charged by the Borough Clerk for registration of a vehicle with the New Jersey Department of Motor Vehicles for all businesses or residents of Fort Lee which do not operate a limousine business in Fort Lee but reside in the Borough of Fort Lee; own a limousine; and demonstrate appropriate insurance requirements on the limousine. In no way shall the aforesaid registration with the New Jersey Department of Motor Vehicles be interpreted as granting permission to operate a limousine business within the Borough of Fort Lee.

**Section 5. Section 372-41. Insurance required, is hereby amended as follows:**

**Section 372-41. Insurance required.**

Notwithstanding the provisions of Section 372-34A hereof, no limousine shall be licensed until an insurance policy or certificate in lieu thereof shall have been filed with the Borough Clerk with liability limits of not less than those provided under N.J.S.A. 48:16-14.

**Section 6. Section 372.45. Service to public, is hereby added as follows:**

**Section 372.45. Service to public.**

License ordinance authorizes a minimum of 100 taxicabs in aggregate of which 75 percent must operate. Allocation is done by Borough Clerk in his discretion with the approval of the Mayor & Council.

**Section 7.** Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

**Section 8.** This ordinance shall take effect following adoption and approval in a time and manner provided by law.

**ATTEST:**

**BOROUGH OF FORT LEE**

\_\_\_\_\_  
Neil Grant  
Borough Clerk

\_\_\_\_\_  
Jack Alter, Mayor

Introduced	<u>J. CURVIERI</u>	Date of Introduction	<u>November 23, 2004</u>
Seconded	<u>I. KASZUSKY</u>	Public Hearing	<u>December 16, 2004</u>
		Date of Adoption	<u>December 16, 2004</u>

BOROUGH OF FORT LEE

ORDINANCE # 2004-44

**AN ORDINANCE AUTHORIZING AN EMERGENCY  
APPROPRIATION N.J.S. 40A:4-53**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey, that pursuant to N.J.S.40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$250,000 is hereby appropriated for the engagement of special consultants for Preparation of Revaluation and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount pursuant to this act (N.J.S. 40A:4-55).

BE IT FURTHER RESOLVED that this ordinance shall take effect upon publication of final passage according to law.

ATTEST:

*Neil Grant*

Neil Grant  
Borough Clerk

*Jack Alter*  
Jack Alter, Mayor

I, Neil Grant, Clerk of the Borough of Fort Lee, County of Bergen, do hereby certify the foregoing to be a true and correct copy of an ordinance adopted by the Governing Body at a meeting of said Governing Body held on December 16, 2004, and said ordinance was adopted by not less than two-thirds of the members of the Governing Body

Witness my hand and seal of the  
Borough of Fort Lee this 16<sup>th</sup> day  
of December, 2004

Introduced	J. CERVIERI	Date of Introduction	November 23, 2004
			December 16, 2004
Seconded	M. SARBELATI	Public Hearing	
		Date of Adoption	December 16, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-45

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 \$525,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$498,750 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 capital improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$525,000 including the sum of \$26,250 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 \$498,750 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 the acquisition of a Fire Truck, 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 \$498,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$35,000 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. The Borough Council of the Borough hereby covenants on behalf of the Borough 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.

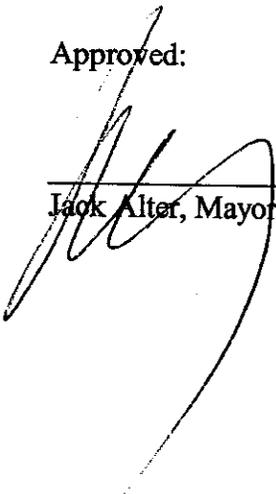
The foregoing bond ordinance is approved

Attest:

*Neil Grant*

\_\_\_\_\_  
Neil Grant, Borough Clerk

Approved:

  
\_\_\_\_\_  
Jack Alter, Mayor

Introduced	J. CERUSERS	Date of Introduction	November 23, 2004
Seconded	M. SOKOLOV	Public Hearing	December 16, 2004
		Date of Adoption	December 16, 2004

BOROUGH OF FORT LEE

ORDINANCE # 2004-46

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261, SECTION 32 OF THE FORT LEE CODE, ENTITLED "LAND USE PROCEDURES" - LIST OF PROPERTY OWNERS FURNISHED**

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

**Section I.** Chapter 261, Section 32, of the Code of the Borough of Fort Lee, entitled "Land Use Procedures" - "List of Property Owners Furnished" be and the same is hereby amended and supplemented by the addition thereto of the following:

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

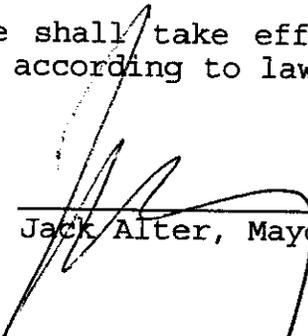
**Section II.** The provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

**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 261

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:

  
\_\_\_\_\_  
Jack Alter, Mayor

*Neil Grant*

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Neil Grant  
Borough Clerk