

Introduced	<u>J. CERVIKAI</u>	Date of Introduction	<u>January 11, 2007</u>
Seconded	<u>A. PUNAN</u>	Public Hearing	<u>January 25, 2007</u>
		Date of Adoption	<u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-1

**ESTABLISHING CHAPTER 357, ARTICLE I, STORM SEWERS -
ILLICIT CONNECTION ORDINANCE IN THE BOROUGH OF FORT LEE**

SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Fort Lee, so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection - any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Borough of Fort Lee, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) or the Federal Clean Water Act (33 U.S.C. 1317 (a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Fort Lee or other public body and is designed and used for collecting and conveying stormwater. ***In municipalities with combined sewer systems, add the following: MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewer at all times and to collect and transport stormwater from streets and other sources"***.
- e. NJPDES permit - a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers and/or corrosion inhibitors.
- g. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater - water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewage or drainage facilities, or is conveyed by snow removal equipment.

SECTION IV. Enforcement:

This ordinance shall be enforced by the Police Department and/or Building Department of the Borough of Fort Lee.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$2,000.00.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of an such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

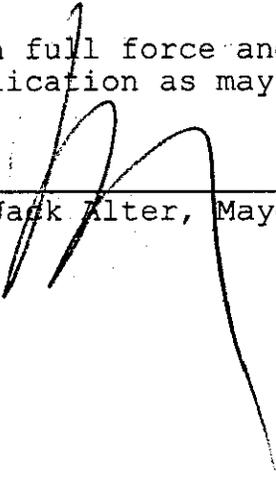
SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST:

Neil Grant

Neil Grant
Municipal Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>January 11, 2007</u>
Seconded	<u>A. PUMAN</u>	Public Hearing	<u>January 25, 2007</u>
		Date of Adoption	<u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE# 2007-2

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

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

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

Southbound Marguerite Street at Summit Avenue

A STOP sign shall be installed on Marguerite Street

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

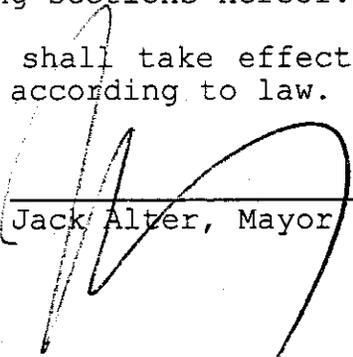
Section III. The provisions of this Ordinance are hereby declared to be severable; should any section or portion thereof be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>January 11, 2007</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>January 25, 2007</u>
		Date of Adoption	<u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-3

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

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

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

Name of Street	Side:	Location
Anderson Avenue	East	To a point 75 feet north of the north curblin apex of Westview Avenue and Anderson Avenue

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

Jack Alter, Mayor

Introduced	<u>J CERVIERI</u>	Date of Introduction	<u>January 11, 2007</u>
Seconded	<u>M VILLANO</u>	Public Hearing	<u>January 25, 2007</u>
		Date of Adoption	<u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-4

AMENDING CHAPTER 289, SECTION 36, "RESIDENTIAL PERMIT PARKING" (RPP) BY ESTABLISHING SECTION J(1) FOR COMMERCIAL MERCHANTS AND CONTRACTORS - THE SECURING OF A BUSINESS PERMIT AND PAYMENT OF FEES TO THE PARKING AUTHORITY TO LEGALLY PARK IN RPP ZONES IN THE BOROUGH OF FORT LEE

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

Chapter 289, Section 36, to be amended to include the following section.

J(1) Commercial merchants and contractors who are working in a Residential Permit Parking zone on a project that requires the contractor or merchant to be in a RPP zone must secure a business permit from the Parking Authority in order to park their vehicle within the RPP zone legally at a cost of \$3.00 per day, per vehicle.

Section II. All other parts, portions and provisions of Chapter 289 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.

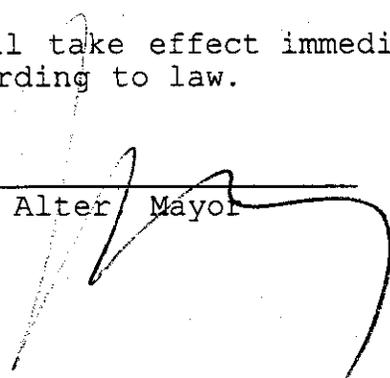
Section IV. This ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Jack Alter Mayor



Introduced <u>J. CERVELLI</u>	Date of Introduction <u>January 11, 2007</u>
Seconded <u>M. VILLANO</u>	Public Hearing <u>January 25, 2007</u>
	Date of Adoption <u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-5

**AN ORDINANCE AMENDING SALARY ORDINANCE #2006-46
ESTABLISHING TITLES, SALARIES AND SALARY RANGES
FOR WHITE COLLAR EMPLOYEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-46 is hereby amended as follows:

SECTION I White Collar Personnel Schedule "A" shall be amended to include the minimum salary and salary range for the following position.

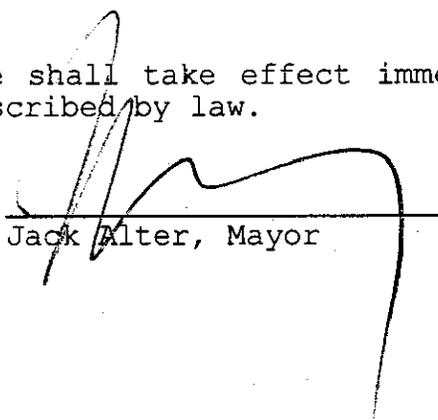
<u>Title</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Public Health Nurse	61,609	64,092	66,675	69,362

Salary Range

\$35,000 - \$75,000

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

ATTEST:



Jack Alter, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>January 11, 2007</u>
Seconded	<u>M. Villano</u>	Public Hearing	<u>January 25, 2007</u>
		Date of Adoption	<u>January 25, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-6

AN ORDINANCE AMENDING SALARY ORDINANCE #2006-47 FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TAX ASSESSOR, AND CERTAIN NON-UNION EMPLOYEES FOR 2006-2009

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

SECTION I: All employees covered by the **Department Head Bargaining Unit** shall receive salaries for 2007, 2008 and 2009 as established by the Department Head Memorandum of Agreement for the years 2007 through 2009, (Schedules A-1 and A-2), which is attached hereto and made a part hereof.

SECTION II: All **Non-Union Personnel** listed in (Schedule B) shall receive salaries for 2007, 2008 and 2009 as outlined in (Schedule B), which is attached hereto and made a part hereof.

SECTION III: All salary increases for 2007-2009 reflect a three percent (3%) salary increase for each year beginning January 1, 2007 and a one percent (1%) salary increase for each year beginning July 1, 2007. In addition all employees listed in (Schedules A-1, A-2 and B) receive additional compensation as negotiated per the Department Head Memorandum of Agreement which is included in the salaries listed on the schedules.

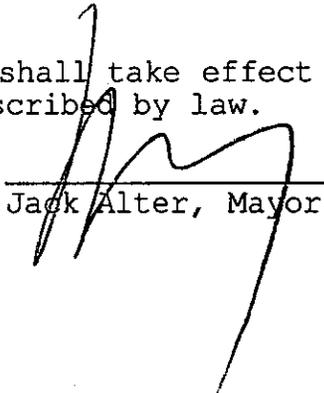
SECTION IV: This ordinance shall supersede any other salary ordinance for members of the **Department Head Bargaining Unit and Non-Union Personnel**.

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Jack Alter, Mayor

DEPARTMENT HEAD UNIT (Schedule A-1)
JANUARY 1, 2007 - DECEMBER 31, 2009

<u>TITLE</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
	01/01 - 06/30	01/01 - 06/30	01/01 - 06/30
Director of Human Services	65,975	68,633	71,399
Rent Regulations Officer	72,957	75,897	78,956
Fire Official/Fire Protection Sub-Code Official/Safety Officer	109,304	113,709	118,291
Police and Fire Signal System Superintendent	87,689	91,223	94,899
Construction Official/ Zoning Officer	110,243	114,686	119,308
Superintendent of Recreation/ Coordinator of Public Events	94,906	98,731	102,710
DPW/Parks Superintendent/ Buildings Superintendent/ Outreach Coordinator	113,723	118,306	123,074
Supervisor of Senior Citizen Activities	68,269	71,021	73,883
Administrator of Cultural & Heritage Affairs	62,870	65,404	68,040
Director of Economic Development	90,975	94,641	98,455
Assistant Public Works Superintendent	103,152	107,309	111,634
Assistant Engineer	100,425	104,472	108,682
Health Officer	100,103	104,137	108,333

DEPARTMENT HEAD UNIT (Schedule A-2)
JANUARY 1, 2007 - DECEMBER 31, 2009

<u>TITLE</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
	07/01 - 12/31	07/01 - 12/31	07/01 - 12/31
Director of Human Services	66,634	69,320	72,113
Rent Regulations Officer	73,687	76,656	79,745
Fire Official/Fire Protection Sub-Code Official/Safety Officer	110,397	114,846	119,474
Police and Fire Signal System Superintendent	88,566	92,135	95,848
Construction Official/ Zoning Officer	111,345	115,833	120,501
Superintendent of Recreation/ Coordinator of Public Events	95,855	99,718	103,737
DPW/Parks Superintendent/ Buildings Superintendent/ Outreach Coordinator	114,861	119,489	124,305
Supervisor of Senior Citizen Activities	68,952	71,731	74,622
Administrator of Cultural & Heritage Affairs	63,499	66,058	68,720
Director of Economic Development	91,884	95,587	99,440
Assistant Public Works Superintendent	104,183	108,383	112,750
Assistant Engineer	101,429	105,517	109,769
Health Officer	101,104	105,178	109,417
<u>Salary Range</u>	<u>2007-2009</u>		
Assistant Engineer	\$85,000 - \$120,000		
Health Officer	\$85,000 - \$120,000		

NON-UNION PERSONNEL (Schedule B)

JANUARY 1, 2007 - DECEMBER 31, 2009 (As Indicated Below)

<u>TITLE</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
	<u>01/01 -</u> <u>06/30</u>	<u>01/01 -</u> <u>06/30</u>	<u>01/01 -</u> <u>06/30</u>
Borough Administrator	157,624	163,976	170,584
Borough Clerk	106,031	110,304	114,750
Tax Assessor	90,213	93,848	97,630
Tax Collector/Treasurer/ Chief Financial Officer	115,272	119,918	124,751
	<u>07/01 -</u> <u>12/31</u>	<u>07/01 -</u> <u>12/31</u>	<u>07/01 -</u> <u>12/31</u>
Borough Administrator	159,200	165,616	172,290
Borough Clerk	107,091	111,407	115,897
Tax Assessor	91,115	94,787	98,606
Tax Collector/Treasurer/ Chief Financial Officer	116,425	121,117	125,998

Introduced	<u>A. POKAN</u>	Date of Introduction	<u>January 25, 2007</u>
		Public Hearing	<u>March 15, 2007</u>
Seconded	<u>M. SIKOLICH</u>	Date of Adoption	<u>March 15, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE #2007-7

BOND ORDINANCE PROVIDING FOR ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS TO MAIN STREET AND HUDSON TERRACE IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$12,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement 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, there is hereby appropriated the sum of \$12,500,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$12,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are

hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the roadway and traffic signal improvements to Main Street and Hudson Terrace, including all 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 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 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this 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 \$12,500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,100,000 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 purpose or improvement.

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

Section 7. Any grant moneys received for the purpose 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 ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

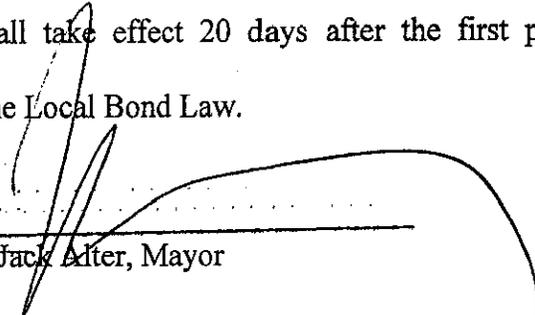
Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the

appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

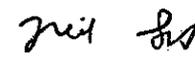
Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Attest:



Jack After, Mayor



Neil Grant, Borough Clerk

Introduced	<u>J. CAVIOLA</u>	Date of Introduction	<u>February 22, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 15, 2007</u>
		Date of Adoption	<u>March 15, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-8

**AN ORDINANCE AMENDING CHAPTER 360 STREETS AND SIDEWALKS,
ARTICLE IV REPAIR OF SIDEWALKS AND CURBS, SECTION 26
PERMIT REQUIRED, 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 360, Streets and Sidewalks, Article IV Repair of Sidewalks and Curbs, Section 26 Permit Required, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That Borough Ordinance 360-26 (B) be amended as follows: The following permit fees are established and shall be paid to the Construction Official before a permit is issued: a permit fee of \$50.00 for single and two-family dwellings. Multiple dwellings and all commercial properties shall pay a \$50.00 permit fee plus cash bond/escrow in the amount of \$15.00 per linear foot of concrete curb; \$20.00 per linear foot for concrete curb and gutter; \$4.50 per square foot for concrete sidewalk; and \$4.00 per square foot for concrete apron.

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

Jack Alter, Mayor

Introduced	<u>J. CERVELLO</u>	Date of Introduction	<u>February 8, 2007</u>
		Public Hearing	<u>March 15, 2007</u>
Seconded	<u>M. VILLANO</u>	Date of Adoption	<u>March 15, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE #2007-9

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WIRELESS PUBLIC SAFETY COMMUNICATIONS NETWORK IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement 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, there is hereby appropriated the sum of \$5,500,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are

hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a wireless public safety communications network, including all related costs and expenditures incidental thereto, and further including all 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 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 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this 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 \$5,500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

Section 7. Any grant moneys received for the purpose 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 ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough

pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

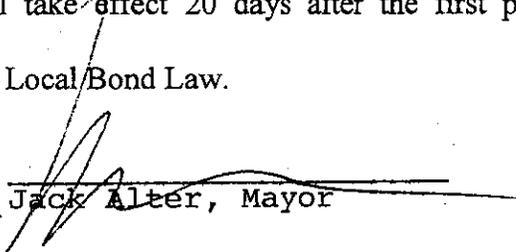
Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. 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

Neil Grant
Municipal Clerk


Jack Alter, Mayor

Introduced	<u>J. CERVENO</u>	Date of Introduction	<u>February 22, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 15, 2007</u>
		Date of Adoption	<u>March 15, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-10

AN ORDINANCE AMENDING SALARY ORDINANCE #2007-6 FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TAX ASSESSOR, AND CERTAIN NON-UNION EMPLOYEES FOR 2007-2009

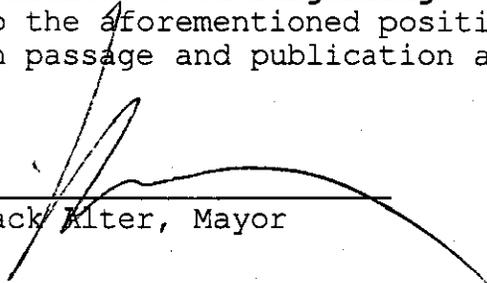
BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2007-6 is hereby amended as follows:

SECTION I: Department Head Personnel Schedules A-1 and A-2 shall be amended to include the titles, salaries and salary ranges for the following positions for 2007 through 2009.

<u>TITLE</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
	01/01 - 06/30	01/01 - 06/30	01/01 - 06/30
Supervisor of Senior Citizen Activities	70,659	73,506	76,469
Municipal Court Administrator	86,010	89,476	93,082
	07/01 - 12/31	07/01 - 12/31	07/01 - 12/31
Supervisor of Senior Citizen Activities	71,365	74,241	77,233
Municipal Court Administrator	86,870	90,371	94,013
		<u>Salary Range</u>	
Supervisor of Senior Citizen Activities		\$55,000 to \$90,000	
Municipal Court Administrator		\$70,000 to \$105,000	

SECTION II: This ordinance shall supersede any previous adopted ordinances of the **Department Head Bargaining Unit and Non-Union Personnel** with regard to the aforementioned positions and shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:



Jack Alter, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	<u>J. CERVELLO</u>	Date of Introduction	<u>February 22, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 15, 2007</u>
		Date of Adoption	<u>March 15, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-11

AN ORDINANCE AMENDING SALARY ORDINANCE #2006-46 ESTABLISHING TITLES, SALARIES AND SALARY RANGES FOR WHITE COLLAR EMPLOYEES

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-46 is hereby amended as follows:

SECTION I: White Collar Personnel Schedule "A" shall be amended to include the titles, salary and salary range for the following positions for 2007-2009.

<u>Title</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Assistant Municipal Clerk	\$40,839	42,485	44,197
Supervising Fire Protection Inspector/Fire Safety Specialist	\$84,038	87,425	90,948
Deputy Court Administrator	\$53,560	55,718	57,964
	<u>Salary Range</u>		
Assistant Municipal Clerk	\$35,000 - \$55,000		
Supervising Fire Protection Inspector/Fire Safety Specialist	\$70,000 - \$95,000		
Deputy Court Administrator	\$45,000 - \$75,000		

SECTION II: This ordinance shall supercede any previous adopted ordinances with regard to these positions and 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. CERVELLI</u>	Date of Introduction	<u>March 15, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 29, 2007</u>
		Date of Adoption	<u>March 29, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 30, SCHEDULE XIV-A, "RIGHT TURN ONLY" AND SECTION 31.1, SCHEDULE XVI-B, "LEFT TURN ONLY" OF THE CODE OF THE BOROUGH OF FORT LEE

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

Section I. Chapter 388, Section 30, Schedule XIV-A, entitled "Right Turn Only" be and the same is hereby amended as follows:

1642 Schlosser Street by the West Driveway

Section II. Chapter 388, Section 31.1, Schedule XVI-B, entitled "Left Turn Only" be and the same is hereby amended as follows:

1620 Lemoine Avenue by the East Driveway

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk

[Signature]
Jack Alter, Mayor

Introduced	<u>J. CONVILLE</u>	Date of Introduction	<u>March 15, 2007</u>
Seconded	<u>M. SURGENI</u>	Public Hearing	<u>March 29, 2007</u>
		Date of Adoption	<u>March 29, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-13

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

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

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

388-69: Along the west curb line of Anderson Avenue, beginning at a point 48 feet south of the apex of the southwest corner of Anderson Avenue and Stillwell Avenue and continuing south along the same curb line extending an additional 50 feet south.

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

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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk

Jack Alter

 Jack Alter, Mayor

Introduced	<u>J. CLAVIERI</u>	Date of Introduction	<u>March 15, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 29, 2007</u>
		Date of Adoption	<u>March 29, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-14

AN ORDINANCE AMENDING CHAPTER 388, SECTION 57, SCHEDULE XIII, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE SO AS TO DELETE ONE BUS STOP

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

SECTION I: Chapter 388, Section 57, Schedule XIII, of the Revised General Ordinances of the Borough of Fort Lee be and is hereby amended **to delete** the following bus stop:

County Roadway:

c. Stillwell Avenue (far side)

Beginning at the southerly curblineline of Stillwell Avenue and extending 100 feet southerly therefrom.

SECTION II: This Ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Jack Alter

Jack Alter, Mayor

Introduced	<u>J. CERVINI</u>	Date of Introduction	<u>March 15, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 29, 2007</u>
		Date of Adoption	<u>March 29, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE #2007-15

**AN ORDINANCE AMENDING SALARY ORDINANCE #2006-45
ESTABLISHING SALARIES, TITLES AND WAGES FOR BLUE COLLAR
EMPLOYEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-45 is hereby amended as follows:

SECTION I Blue Collar Personnel Schedule "A-17" 2006-2009 for present employees shall be included to add the following title, salary and salary range:

Senior Maintenance Repairer Electric/Supervising Maintenance Repairer, Carpentry

SECTION II Salary and salary range for said position shall be set as follows:

<u>2007 Salary</u>	<u>2008 Salary</u>	<u>2009 Salary</u>
January 1st-June 30th \$91,000	January 1st-June 30th \$94,667	January 1st-June 30th \$98,482
July 1st-Dec. 31st \$91,910	July 1st- Dec. 31st \$95,614	July 1st-Dec. 31st \$99,467

Salary Range \$80,000 - \$110,000

SECTION III 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	J. CURVIERI	Date of Introduction	March 15, 2007
Seconded	M. SURGENTI	Public Hearing	March 29, 2007
		Date of Adoption	March 29, 2007

BOROUGH OF FORT LEE

2007-16

ORDINANCE # _____

AN ORDINANCE ESTABLISHING CHAPTER 270 "MARRIAGES & CIVIL UNIONS" - PROCEDURES FOR MONIES COLLECTED IN CONNECTION WITH MARRIAGES AND CIVIL UNION CEREMONIES PERFORMED BY THE MAYOR PURSUANT TO DIVISION OF LOCAL GOVERNMENT SERVICES (LOCAL FINANCE NOTICE 2007-5) IN 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 as follows:

Section I:

a. The Borough of Fort Lee shall not charge a fee for persons seeking to be married or joined in civil union by the Mayor of the Borough of Fort Lee

b. In lieu of a fee, persons seeking to be married or joined in civil union by the Mayor of the Borough of Fort Lee may make a voluntary charitable donation.

c. All donations received by the Borough of Fort Lee from persons seeking to be married or joined in civil union by the Mayor of the Borough of Fort Lee shall be deposited into a separately dedicated interest bearing account in a federally insured banking institution, or its equivalent, licensed to do business in the State of New Jersey.

d. All donations received by the Borough of Fort Lee from persons seeking to be married or joined in civil union by the Mayor of the Borough of Fort Lee shall be disbursed for a charitable purpose, by resolution and vote by the Mayor and Council of the Borough of Fort Lee.

Section II:

All Ordinances or parts of Ordinances inconsistent with this Ordinance are repealed and void to the extent of said inconsistency.

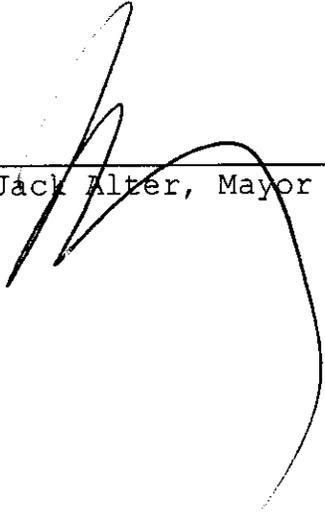
Section III:

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	J. CARVALHO	Date of Introduction	March 15, 2007
		Public Hearing	April 12, 2007
Seconded	M. SARGENT	Date of Adoption	April 12, 2007

BOROUGH OF FORT LEE

ORDINANCE #2007-17

CALENDAR YEAR 2007 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.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 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Fort Lee in the County of Bergen finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$416,219.53 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY2007 budget year, the final appropriations of the Borough of Fort Lee shall, in

accordance with this Ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,040,548,83 and that the CY2007 municipal budget for the Borough of Fort Lee be approved and adopted in accordance with this Ordinance; and

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

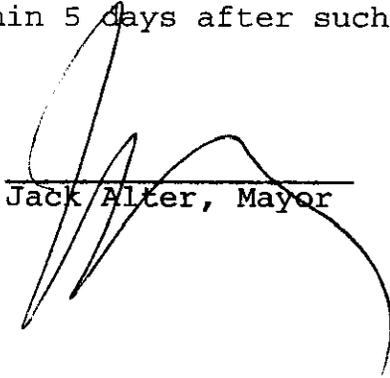
BE IT FURTHER ORDAINED, that a copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CLAVIERI</u>	Date of Introduction	<u>March 15, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>March 29, 2007</u>
		Date of Adoption	<u>March 29, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-18

**AN ORDINANCE REPEALING AND REPLACING
CHAPTER 40 "DEFENSE AND INDEMNIFICATION"
OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE
GENERAL CODE IN THE BOROUGH OF FORT LEE**

WHEREAS, The Borough of Fort Lee has determined that it is desirable and proper to provide for the indemnification, representation and defense of any person holding public office, position or employment, elective or appointive (collectively "Employee") with, for or on behalf of the Borough and its subordinate and constituent agencies (collectively the "Borough"), arising from or in connection with their employment or position with the Borough, to the fullest extent allowed by N.J.S.A. 59:10-4 and other applicable law, as same may be, from time-to-time amended,

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

- 1) **Defense of Actions**: The Borough shall, upon timely notification and request, as provided herein, provide for the defense of any investigation, action, suit or proceeding, commenced or threatened, (collectively, "Proceeding(s)") whether civil, criminal, administrative or investigative, including cross-claims, counter-claims or cross actions, (collectively, "Defense"), against an Employee, or account of any act or omission

arising out of or in the scope of his/her employment, office or elective or appointive position with, for or on behalf of the Borough (collectively, his/her "Employment"), except as otherwise provided herein;

2) **Costs of Defense and Coverage:** The Defense of any such Proceedings, shall include all reasonable costs associated therewith, including legal, expert and technical fees and expenses, together with costs of appeal if an appeal is deemed necessary and appropriate by the Borough Attorney in his/her reasonable discretion; and the Borough shall indemnify, defend, save harmless and protect its Employee from any financial loss resulting therefrom, except as otherwise provided herein;

3) **Indemnification and Save Harmless:** The Defense provided herein shall include the indemnification of the Employee and shall save him/her harmless from financial loss resulting from any Proceeding described herein, including claims, losses, expense, judgments, damages, fines, attorney any other expert and technical fees, court costs, witness fees, transcript costs and any amount paid in settlement thereof and actually and reasonably incurred in connection therewith, to the extent provided by law, except as otherwise provided to the contrary herein. Expenses thus incurred may be paid in advance of final deposition of the action;

4) **Representation:** Any Defense to any Proceeding covered by virtue of this enactment shall be provided by attorney(s) and other personnel and service providers selected by the Borough or its insurance carrier(s).

5) **Insurance Policies and Limitations:** To the extent that any Defense in any covered Proceeding is provided by or pursuant to any policy of insurance

contracted for by the Borough, or available to any other party, the Employee requesting and to whom the Defense is to be provided, shall be subject to all the requirements and restrictions of said policy of insurance to the same extent as is the Borough. In the event that any Employee incurs any costs, fees and expenses without the prior written approval of the Borough, such liability so incurred shall be the sole responsibility of the Employee and additionally, the Borough shall have no obligation to indemnify and save harmless the said Employee in the applicable Proceeding.

6) **Notification:** An Employee shall not be entitled to Defense, indemnification and save harmless hereunder unless, within ten (10) days of the time such Employee is served with any subpoena, notice, demand, summons, complaint, order to show cause or pleading, he/she delivers the same or an accurate and complete copy thereof, to the Borough Clerk, whereupon it shall be the duty of the Borough Clerk to forthwith notify the Governing Body, Borough Administrator or Director of Public Safety when applicable, and the Borough Attorney thereof, provided that such time period may be extended, nunc-pro-tunc, for cause by a duly passed resolution of the Governing Body and be it further provided that this notification requirement shall not be operative against any Employee in any currently pending proceeding of which the Borough is on actual notice;

7) **Cooperation:** Any Employee requesting and to whom Defense indemnification and save harmless is to be provided shall cooperate fully and in good faith with the Borough, its attorneys, insurers adjusters, investigators, experts and technical personnel, engaged for this purpose, in the preparation and conduct of the Defense or settlement or other disposition in any Proceeding. If such Employee shall

neglect, fail or otherwise impede or refuse to cooperate as aforesaid, which decision thereof shall be in the sole discretion of the Governing Body, the Governing Body, on ten (10) days written notice to the Employee and opportunity to be heard, may for cause, declare all rights and benefits created hereunder for the benefit of such Employee, to be forfeited and terminated by affirmative vote of the Governing Body;

8) **Exceptions to Coverage:** An Employee shall not be entitled to Defense, indemnification and save harmless, in any Proceeding, in the following event(s) or circumstances:

A) In any tenure, disciplinary, suspension, termination, licensure or (de)certification affecting Proceeding brought by the Borough against the Employee;

B) In any tenure, disciplinary, suspension, termination, licensure or (de)certification affecting proceeding brought by any other governmental unit or agency against the Employee;

C) In the Defense of any Proceeding including indemnification, save harmless, judgments or settlements based upon what the Governing Body has determined, upon ten (10) days written notice to the Employee and opportunity to be heard, that the Proceeding is based upon actual fraud, malice, gross misconduct or constituted a crime or did not arise out of or in the scope of his/her duties, office or employment by or with the Borough.

D) In the payment of punitive or exemplary damages unless the Governing Body first determines, upon ten (10) days written notice to the Employee and opportunity to be heard, that the Employee's acts or omissions did not constitute actual fraud, actual malice, gross misconduct, and intentional tort or that involves a substantial

and material violation of the Local Government Ethics Law, N.J.S.A. 40:22-1 et. seq., as same may be, from time-to-time, amend;

E) In any Defense of or indemnification for and save harmless form professional malpractice;

F) In the event that any Defense in any Proceeding is refused or terminated by the Governing Body as set forth supra. for failure of the Employee to abide thereby or act in compliance therewith; and

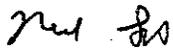
G) In the event that any insurance coverage is available for payment, in whole or in part of the Defense, indemnification and save harmless of the Employee, in any Proceeding, to the extent of the said insurance coverage;

9) **Repealer:** All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts;

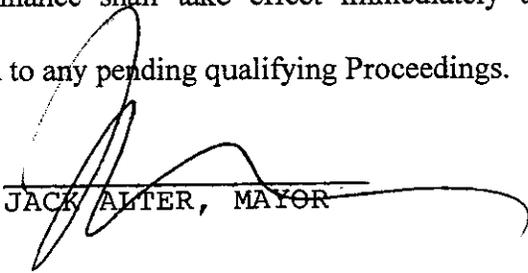
10) **Severability:** If any section or part of clause or phrase in any section of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance and a reviewing court may make such changes as may be required to give full weight and effect to the intent of this Ordinance.

11) **Effective Date:** This Ordinance shall take effect immediately upon passage and publication and shall be applied to any pending qualifying Proceedings.

ATTEST:



Neil Grant
Borough Clerk



JACK ALTER, MAYOR

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>March 29, 2007</u>
Seconded	<u>M. Villano</u>	Public Hearing	<u>April 12, 2007</u>
		Date of Adoption	<u>April 12, 2007</u>

BOROUGH OF FORT LEE
ORDINANCE # 2007-19

**AN ORDINANCE AMENDING SALARY ORDINANCE #2006-46 ESTABLISHING
TITLE, SALARY AND SALARY RANGE FOR THE WHITE COLLAR
EMPLOYEE POSITION OF COOK IN THE BOROUGH OF FORT LEE**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-46 is hereby amended as follows:

SECTION I: White Collar Personnel Schedule "A" shall be amended to include the title salary and salary range for the following position for 2007-2009.

<u>Title</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Cook	\$32,431	33,738	35,098

Salary Range

\$20,000 - \$40,000

SECTION II: This ordinance shall supercede any previous adopted ordinances with regard to this position and shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:

Neil Grant
Neil Grant
Borough Clerk

Jack Alter, Mayor

Introduced	J CURVIERI	Date of Introduction	March 29, 2007
Seconded	M. SIKOLICH	Public Hearing	April 12, 2007
		Date of Adoption	April 12, 2007

BOROUGH OF FORT LEE

ORDINANCE # 2007-20

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 53, SCHEDULE IX, "STOP INTERSECTIONS" OF THE BOROUGH OF FORT LEE CODE 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 53, of the Fort Lee Code Entitled "Vehicles and Traffic - Schedule IX: Stop Intersections", be and the same is hereby amended and supplemented by the addition thereto of the following:

Fairmount Place and Euclid Road
 Briar Way and Euclid Road

A STOP sign shall be installed on Fairmount Place
 STOP signs shall be installed on Briar Way at Both
 Briar Way Locations

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

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

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

ATTEST:

Neil Grant

Neil Grant
 Borough Clerk

Jack Alter
 Jack Alter, Mayor

Introduced	<u>J. Covert</u>	Date of Introduction	<u>May 10, 2007</u>
Seconded	<u>A. Pawan</u>	Public Hearing	<u>May 24, 2007 (cancelled)</u>
		Public Hearing	<u>June 14, 2007</u>
		Date of Adoption	<u>June 14, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-21

AN ORDINANCE AMENDING CHAPTER 388, SECTION 57, SCHEDULE XIII, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE ENTITLED "BUS STOPS" IN THE BOROUGH OF FORT LEE

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey that the following are amendments to the existing ordinance to reflect a corrected description and to memorialize a bus stop that currently exists.

STATE HIGHWAY - Along Route 67, Northbound on the easterly side thereof at:

m. Wall Street (far side)

Beginning at the northerly curbline of Wall Street and extending 100 feet northerly therefrom.

STATE HIGHWAY - Along Route 67, Southbound on the westerly side thereof at:

n. Washington Avenue (near side)

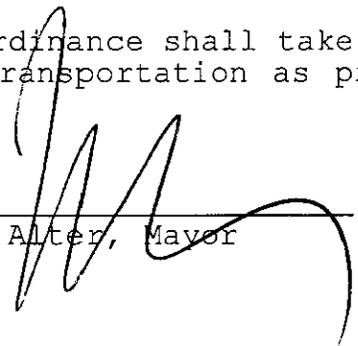
Beginning at the northerly curbline of Washington Avenue and extending 105 feet northerly therefrom.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon approval of the Commissioner of Transportation as provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. Clavient</u>	Date of Introduction	<u>June 14, 2007</u>
Seconded	<u>M. Villano</u>	Public Hearing	<u>June 28, 2007</u>
		Date of Adoption	<u>June 28, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-22

AN ORDINANCE AMENDING CHAPTER 388, SECTION 57, SCHEDULE XIII, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE TO INCLUDE A BUS STOP IN THE BOROUGH OF FORT LEE

WHEREAS, the Mayor and Council of the Borough of Fort Lee in the County of Bergen approved by resolution (CA-11) on June 29, 2006, to consider a certain bus stop along State Highway Route NJ 63,

Section I: NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council that the following bus stop be established and codified into the Borough's ordinances.

Mid - Block Bus Stop:

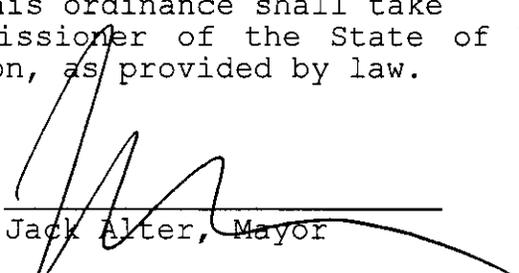
Route NJ 63 (Bergen Boulevard) southbound westerly side:

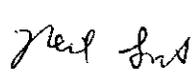
Between Madeline Lane and East Oakdene Avenue

Beginning at a point 105 feet south of the prolongation of the southerly curb line of Madeline Lane and extending to a point 135 feet southerly therefrom.

BE IT FURTHER RESOLVED that this ordinance shall take effect upon approval of the Commissioner of the State of New Jersey, Department of Transportation, as provided by law.

ATTEST:


 Jack Alter, Mayor



 Neil Grant
 Borough Clerk

Introduced	<u>J. CURTIS</u>	Date of Introduction	<u>June 14, 2007</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>June 28, 2007</u>
		Date of Adoption	<u>June 28, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-23

AN ORDINANCE AMENDING CHAPTER 388, SECTION 57, SCHEDULE XIII, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE TO INCLUDE A BUS STOP IN THE BOROUGH OF FORT LEE

Section I: BE IT ORDAINED, by the Mayor and Council that the following bus stop be established and codified into the Borough's ordinances.

Municipal Roadway - Added Stop

Along Martha Washington Way, Southbound, on the Westerly Side Thereof at:

1. Bridge Plaza South - (Far Side)

Beginning at the southerly curb line of Bridge Plaza South and extending 150 feet southerly therefrom.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey that the Mayor and Council of the Borough of Fort Lee will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public; and

BE IT FURTHER ORDAINED that this ordinance shall take effect upon approval of the Commissioner of Transportation as provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Jack Alter Mayor

Introduced	<u>J. CURVIER</u>	Date of Introduction	<u>June 14, 2007.</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>June 28, 2007</u>
		Date of Adoption	<u>June 28, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE #2007-24

AN ORDINANCE FOR THE ACQUISITION OF REAL PROPERTY AND IMPROVEMENTS, BY PURCHASE OR CONDEMNATION, FOR THE PURPOSE OF REDEVELOPMENT OF REDEVELOPMENT AREA 6.

WHEREAS, the Borough of Fort Lee (hereafter the "Borough"), pursuant to ordinance 2006-51 did adopt a redevelopment plan for redevelopment area 6 constituting Lots 1, 2, 3 and 4 in Block 5402 as shown on the tax map of the Borough, the said Lot 2 being consolidated with the former Lot 15; and

WHEREAS, the Borough has entered into negotiations with a redeveloper to undertake the redevelopment of area 6 in accordance with the redevelopment plan adopted; and

WHEREAS, Block 5402 Lot 2 is a necessary component property for the completion of redevelopment of redevelopment area 6, and the Borough has undertaken to have Lot 2 in Block 5402 appraised and valued for the purpose of facilitating the negotiation of the sale of the said property from the property owner, or its subsequent acquisition by the Borough of Fort Lee to facilitate the public purpose of redevelopment;

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:

1. The Borough of Fort Lee does hereby determine that to facilitate the public purpose of redevelopment, it is necessary to acquire under common ownership all properties within redevelopment area 6, said properties being Lots 1, 2, 3 and 4 in Block 5402; and
2. Upon the failure of a designated redeveloper to acquire by purchase the property known as Block 5402 Lot 2 on the tax map of the Borough of Fort Lee, then the Borough does hereby authorize the acquisition of said Lot 2 in Block 5402 by purchase, or condemnation in accordance with the provisions of the Local Redevelopment and Housing Law NJSA 40 A:12A-1 et seq., and The Eminent Domain Act, NJSA 20: 3-1 et seq., the fee simple estate to the entire real property known as lot 2 and Block 5402.
3. The Borough of Fort Lee has received an appraisal of Lot 2 in Block 5402 dated April 2, 2007 as performed by Mason Helmstetter Associates LLC. 336 Boulevard, Hasbrouck Heights, New Jersey 07604 which establishes the price for the land and improvements on the said property as of March 30, 2007 as \$1,300,000.00. The Borough does

hereby accept the appraisal performed by Mason Helmstetter Associates LLC, and does approve and set as the offer price for purchase of Lot 2 Block 5402 in the amount of \$1,300,000.00, with the provision that the land and buildings do not contain environmental contamination. The said price of \$1,300,000.00 is conditioned upon the property as being in a state as if remediated, and should the Borough acquire the said property, all such costs of necessary environmental remediation shall become the responsibility of the property owner in accordance with applicable law, or, pursuant to agreement with the Borough, the responsibility of a redeveloper.

4. The full description of the property to be acquired being Lot 2 in Block 5402, is set forth in the appraisal of Mason Helmstetter Associates, LLC, a true copy of which is attached as Exhibit A.

5. In the event that the Borough must acquire the property by condemnation, upon the failure of the property owner to accept the approved offer price, or should the property owner refuse to enter into negotiations in accordance with the requirements of The Eminent Domain Act, the Borough does hereby authorize the filing of a civil action in Superior Court for the purpose of acquiring the said property by condemnation.

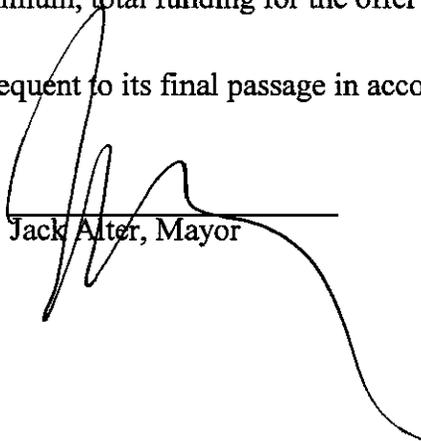
6. The source of funding of the acquisition of this property shall be obtained by the Borough of Fort Lee from a designated redeveloper, and shall not constitute a financial obligation of the Borough of Fort Lee. No formal offer to purchase the said property shall be made, nor shall any other action be taken by the Borough to acquire said property, unless and until the Borough of Fort Lee has received, at a minimum, total funding for the offer price of \$1,300,000.00 from the designated redeveloper.

7. This ordinance shall take effect subsequent to its final passage in accordance with applicable law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CUNY</u>	Date of Introduction	<u>June 14, 2007</u>
Seconded	<u>A. PENN</u>	Public Hearing	<u>June 28, 2007</u>
		Date of Adoption	<u>June 28, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-25

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 261, APPENDIX (A), "LAND USE PROCEDURES," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

WHEREAS, the Borough of Fort Lee has adopted a Land Use Checklist for development applications submitted to both the Planning Board and the Zoning Board of Adjustment in accordance with the provisions of N.J.S.A. 40:55D-10(b); and

WHEREAS, the Borough of Fort Lee desires to amend the checklist item to implement and require the compliance with the Main Street designed guidelines for all development applications within the C-1 District,

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

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

A. Add the following Section to Paragraph A, Chapter 261, Appendix A: "Checklist for Development Applications" new subparagraph 8:

Any development application within the C-1 District shall provide a Facade Design Plan in accordance with Section 345-25.1 of the Borough of Fort Lee's Site Plan Review Ordinance. The Facade Design shall be prepared by a New Jersey licensed architect. The above shall be included in Forms B, D and H of the Development Checklist Packet .

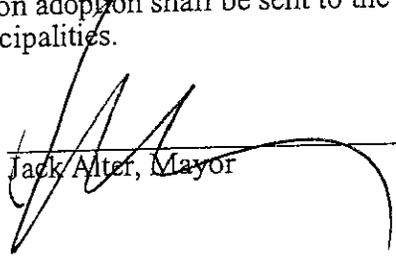
Section II: The provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision thereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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 determined to govern. All other parts, portions and provisions of Chapter 261 of the "Land Use Procedures" of the General Ordinances of the Borough of Fort Lee, are hereby ratified and confirmed, except where inconsistent with the terms hereof.

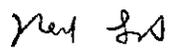
Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

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

Attest:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	<u>J. CAVIERI</u>	Date of Introduction	<u>June 14, 2007</u>
Seconded	<u>M. SARGENTI</u>	Public Hearing	<u>June 28, 2007</u>
		Date of Adoption	<u>June 28, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE #2007-26

AN ORDINANCE AUTHORIZING THE BOROUGH OF FORT LEE TO ENTER INTO A LEASE AGREEMENT FOR GENERAL OFFICE SPACE AND STORAGE IN A BUILDING LOCATED AT 1311 INWOOD TERRACE IN THE BOROUGH OF FORT LEE

WHEREAS, The Borough of Fort Lee ("Borough") seeks to enter into a lease between the Borough of Fort Lee and Ms. Angelina Kreis ("Owner"), a private property owner, for the public purpose of acquiring municipal office and storage space; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:12-1 et seq., The Local Lands and Building Law, the Borough is authorized to enter into a lease with a private property owner; and

WHEREAS, the Borough has negotiated a lease with the owner for tenancy in the building located at 1311 Inwood Terrace, Fort Lee, New Jersey 07024,

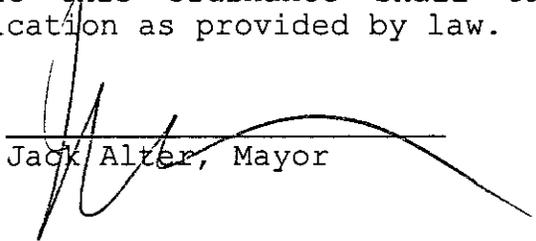
NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey, that the Borough is authorized to execute a lease agreement with Angelina Kreis for the land and building located at 1311 Inwood Terrace, Fort Lee, New Jersey 07024, in accordance with the terms of the lease agreement and rider, attached hereto, (Available in the Office of the Borough Clerk) and made a part of this ordinance by reference, subject to final review and acceptance, as to form and content, by the Borough Attorney; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency; and

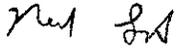
BE IF FURTHER ORDAINED, that if any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions; and

BE IF FURTHER ORDAINED, that this ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:



Jack Alter, Mayor



Neil Grant
Borough Clerk

Introduced	M. VILLANO	Date of Introduction	June 28, 2007
Seconded	M. SARGENTIS	Public Hearing	July 19, 2007
		Date of Adoption	July 19, 2007

BOROUGH OF FORT LEE

ORDINANCE #2007-27

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69, SCHEDULE XXIII, 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 north curb line of Prospect Street beginning at a point 27 feet from the apex of the northwest corner of 5th Street and Prospect Street and continuing another 25 feet west along the same curb line.

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

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Jack Alter
Jack Alter, Mayor

Introduced	M. Villano	Date of Introduction	June 28, 2007
Seconded	A. Pohn	Public Hearing	July 19, 2007
		Date of Adoption	July 19, 2007

BOROUGH OF FORT LEE

ORDINANCE # 2007-28

**AN ORDINANCE AMENDING CHAPTER 193, SECTION 2,
CONSTRUCTION CODES, UNIFORM, FEES, 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 193, Uniform Construction Codes, Section 2, Fees, of the Code of the Borough of Fort Lee, is hereby amended:

Section 1. That Borough Ordinance 193-2 (A) shall be amended as follows:

The following fees for a construction permit shall be the sum of the subcode fees listed in Schedules A through D hereof and shall be paid before the permit is issued.

(1) Schedule A: Building Subcode Fees.

New Construction:	
Based on cubic footage or structural volume	\$0.035
Renovation, Alteration, Repairs:	
1. Renovations, alterations and repairs (commercial)	
Per the first \$1,000 of estimated cost	\$60.00
For each \$1,000 of estimated cost thereafter	\$15.00
2. Renovations, alterations (residential)	
First \$1,000	\$50.00
Each thousand up to \$5,000	\$10.00
Each thousand from \$5,001 and up	\$15.00
3. Additions, per cubic foot of volume of	\$0.025
4. Asbestos removal (per code)	As per Uniform Construction Code
Certificate of approval	As per Uniform Construction Code
Demolition:	
One- and Two-Family Dwellings	\$250.00
Multi-Family	\$500.00
For each unit more than 3, add	\$50.00
Residential detached garages, each	\$100.00
Commercial or industrial buildings	\$600.00

Certificate of Occupancy:	
One- or two-family dwelling	\$100.00
Other residential units, per unit	\$100.00
Retail	\$100.00
Other:	
Continual certificate of occupancy (residential)	\$100.00
Continual certificate of occupancy (retail use)	\$100.00
Offices, existing	\$100.00
If the first continual certificate of occupancy inspection fails, additional fees imposed shall be:	
Second continual certificate of occupancy inspection	\$15.00
Third continual certificate of occupancy inspection	\$25.00
Fourth continual certificate of occupancy inspection	\$40.00
Fifth continual certificate of occupancy inspection	\$50.00
Any continual certificate of occupancy inspection after 5	\$50.00

If a purchaser of property in the Borough of Fort Lee fails to obtain a continual certificate of occupancy, the Construction Code Official shall notify the property owner of the violation by posting a notice of violation at the premises. If the property owner fails thereafter to obtain a continual certificate of occupancy, the property owner shall be subject to a fine of not less than \$250 for the first offense, not less than \$350 second offense, not less than \$500 for the third, and \$1,000 for each subsequent offense. Each day a violation continues and a summons is issued beyond the date fixed for compliance in the notice provided shall constitute a separate offense.

Commercial or Industrial:	
First 50,000 square feet	\$100.00
Each 1,000 square feet over 50,000	\$100.00
Change in Use:	
Signs:	
New	\$3.00 per square foot
Replacement	\$1.00 per square foot (reface only)
Fence	
Up to 4 feet in height	No fee
Up to 6 feet in height	\$65.00
Air Conditioners:	
Residential	Same as alteration fee
Commercial	Same as alteration fee
In-Ground Swimming Pool:	\$250.00
Above Ground Swimming Pools:	\$150.00

(2) Schedule B: Fire Subcode Fees.

Plan Review	20% of cost or \$75.00 whichever is greater
Suppression Systems (based on number of sprinkler heads):	
1 to 20	\$ 60.00
21 to 100	\$105.00
101 to 200	\$190.00
201 to 400	\$465.00
401 to 1,000	\$590.00
Over 1,000	\$665.00

Suppression Systems/Restaurants:	
In-Hood Over Stove	\$100.00
Special Suppression Systems:	
Dry chemical, CO2, halon, foam, etc.	\$100.00
Stand Pipes:	
Up to 4 inches each line	\$250.00
From 4 inches to 6 inches each line	\$250.00, plus \$150.00
	for increased increments of each
	additional inch
Smoke and Heat Detectors:	
1 to 20	\$ 65.00
21 to 100	\$105.00
101 to 200	\$190.00
201 to 400	\$465.00
401 to 1,000	\$590.00
Over 1,000	\$665.00
Fuel Storage Tanks/Residential:	
One- and two-family dwelling	\$ 65.00
Multi-family buildings	Same as commercial
Fuel Storage Tanks/Commercial:	
Up to 999 gallons	\$ 65.00
1,000 to 2,999 gallons	\$ 90.00
3,000 to 4,999 gallons	\$165.00
Over 5,000 gallons	\$265.00
Gas/oil appliances:	\$ 75.00
Incinerators:	\$300.00
Crematoriums:	\$300.00
Flexible Chimney Pipe	\$ 75.00

(3) Schedule C: Plumbing Subcode Fees.

Installation/Replacement:	
Each Fixture or Vent Stack	\$ 25.00
Water Heater:	
0 to 50 gallons	\$ 50.00
Over 50 gallons	\$100.00
Installation/Replacement: Sanitary Sewer	
4-inch	\$ 50.00
5-inch	\$ 75.00
6-inch	\$150.00
Over 6-inch	\$100.00 per
	inch over 6
	inches
Sewer Connection (initial or replacement)	\$100.00
Gas-Burning Equipment, Installation and Conversion:	
Residential Buildings:	
1 to 3 families	\$ 50.00
4 to 60 families	\$100.00
61 to 160 families	\$150.00
161 families and up	\$200.00
Commercial Buildings:	
To 2,500 square feet of floor area	\$ 50.00
From 2,501 square feet to 5,000 square feet	\$100.00
From 5,001 square feet to 10,000 square feet	\$150.00
From 10,001 square feet to 20,000 square feet	\$200.00
From 20,001 square feet to 40,000 square feet	\$250.00
From 40,001 square feet to 80,000 square feet	\$300.00
All buildings greater than 80,000 square feet	\$350.00
Gas Dryers in Apartment Houses Laundries:	
Installation	\$ 50.00
Gas Dryers in Self-Service Laundry and in Commercial Laundries:	
Installation	\$ 50.00
Commercial Baking Ovens:	

Installation	\$ 50.00 per oven
Special Devices:	
Grease traps/oil separators, backflow preventors, sewer pump, interceptor, etc.	\$100.00
Installation/Replacement:	
Water Service/Gas Service	
Up to 1-inch	\$100.00
2-inch	\$100.00
4-inch	\$150.00
6-inch	\$225.00
Domestic Boiler/Hot Water (Steam/Low pressure)	
First unit	\$100.00
Each additional unit	\$ 50.00
Domestic Boiler/Hot Water (Steam/High pressure)	\$150.00
Each Additional Unit	\$ 75.00
Commercial or Industrial oil or gas	\$100.00
	(\$20.00 per unit)
Garbage Disposal (New Units Prohibited):	
Replacements units only	\$ 25.00
Minimum Inspection Fee	\$ 65.00

(4) Schedule D: Electrical Subcode Fees shall be repealed and replaced with the following new fee schedule.

ELECTRICAL FIXTURES AND DEVICES:

Receptacles, fixtures and devices, including smoke and heat detectors, alarm devices, communications outlets, light-standards eight feet or less, emergency lights, exit lights, or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower or one kilowatt.

1 - 50	\$65.00
Each additional block up to 25	\$20.00

MOTORS, ELECTRICAL DEVICES, TRANSFORMERS AND GENERATORS:

For each motor or electrical device rated from 1 hp or 1 kw up to 10 hp or 10 kw; for each transformer or generator rated from 1 kw or 1 kva or 10 kw or 10 kva; for each replacement of wiring involving 1 branch circuit or part thereof; for each under water lighting fixture; for household electric cooling equipment rated up to 16 kw; for each security or burglar alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light standard greater than eight feet in height and for each communication closet.

\$40.00

For each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw and for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for electric sign rated from greater than 20 amperes to 225 amperes including associated disconnecting means; for each receptacle rated greater than 50 amperes and for each utility load management device:

\$65.00

For each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva:

\$150.00

For each motor or electrical device rated greater than 100 hp or 100 kw; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva:

\$500.00

SERVICE EQUIPMENT, PANEL BOARD, SWITCHBOARD, SWITCHGEAR, MOTOR-CONTROL-CENTER OR DISCONNECTING MEANS:

0-200 amperes	\$ 80.00
201-400 amperes	\$120.00
401-800 amperes	\$150.00
801-1,200 amperes	\$300.00
1,201-1,600 amperes	\$450.00
Over 1,600 amperes	\$600.00

SWIMMING POOL BONDING (permanently installed private pools)

Outlets, feeders and motors (excluding panel boards and under-water lighting)

Above Ground Pools	\$ 75.00
In-Ground Pools	\$125.00

(For public swimming pools the fee shall be based on the number of devices and rating of equipment as stated above.)

ANNUAL VISUAL POOL INSPECTION: \$100.00

MINIMUM ELECTRICAL FEE: \$ 65.00

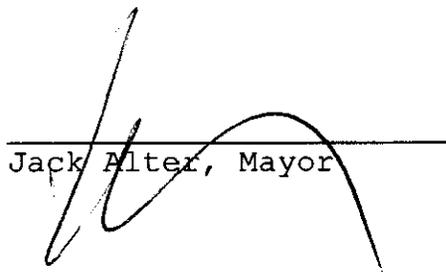
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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. SARGENTI	Date of Introduction	June 28, 2008
Seconded	M. SOKOLICH	Public Hearing	July 19, 2007
		Date of Adoption	July 19, 2007

BOROUGH OF FORT LEE
ORDINANCE # 2007-29

AN ORDINANCE AMENDING CHAPTER 261 LAND USE PROCEDURES, ARTICLE VIII PARKING IMPROVEMENT PROGRAM DEVELOPER CONTRIBUTION TO SPECIAL FUND IN LIEU OF INSTALLATION OF OFF-STREET PARKING SPACES, SECTION

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 261, Land Use Procedures, Article VIII Parking Improvement Program Developer Contribution to Special Fund in Lieu of Installation of Off-Street Parking Spaces, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That Borough Ordinance § 261-55, **Purpose of Parking Improvement Program**, shall be repealed and hence forth provide as follows: When the proposed construction and use of any new building or structure or the proposed enlargement or increase in the capacity of new use of any existing building or structure results in practical difficulty or undue hardship in complying with the off-street parking requirements of the Borough Zoning and Planning Ordinance, the Planning Board and/or Board of Adjustment, in its discretion, upon finding(s) that such difficulty or undue hardship exists, and if the applicant is otherwise in accord with the provisions of the Municipal Land Use Act, may permit the applicant to elect to contribute to the Borough of Fort Lee's Parking Improvement Program (PIP) Trust Fund in lieu of providing the total number of parking spaces required by Borough ordinance.

Section 2. That Borough Ordinance § 261-56(A) **Areas Eligible for Participation in Parking Improvement Program**, shall be repealed and hence forth provide as follows: Pursuant to the duly adopted Master Plan for the Borough of Fort Lee, the areas listed below have been designated as

CBD, or high-density, commercial, office or residential zones. The designated areas are those most in need of additional off-street parking and most adversely affected by the granting of parking waiver variances. Construction of additional off-street parking by the Borough will serve new and existing residents, and patrons and applicants requesting parking variances.

Section 3. That Borough Ordinance § 261-58(D) **PIP Fee to be Assessed Developer for Off-Tract Parking Improvements**, shall be repealed and hence forth provide as follows: In addition to the parking space PIP fee assessment, the applicant shall pay, pursuant to N.J.S.A. 40:55D-3.2, the reasonable fees assessed by the municipality for review of the developer's application and supporting information as well as preparation of documents necessary to effectuate the purpose of this article, including but not limited to attorney review, parking consultant, engineering cost estimates and appraisal services.

Section 4. That Borough Ordinance § 261-59(B) **Payment of PIP fee by Applicant**, shall be repealed and hence forth provide as follows: In the case of a development project at the time that the applicant or the successor to the applicant's approvals secures their building permits:

(1) Over a term of years, to be determined by resolution of the Borough Council, which shall not be in excess of 10 years, payable in legal installments, with legal interest;

(2) Where the PIP local assessment is being financed by the sale of bonds, the Borough Council may allow the assessment to be paid in yearly installments, up to 30 years, but in no event shall the installment payment period exceed the length of time for which the bonds are issued;

(3) To secure payment of applicant's obligation to the PIP trust fund, a municipal assessment for a local improvement pursuant to N.J.S.A. 40:56-1 et seq. shall be placed upon applicant's real estate which was the subject of the parking variance;

(4) The provisions of N.J.S.A. 40:56-1 et seq. shall apply in the event of a default or late payment.

Section 5. That Borough Ordinance § 261-60 **Collection of PIP Fee Assessment**, shall be repealed and hence forth provide as follows:

A. In the event the Borough Council, by resolution, approves installment payments to be made by the applicant of the PIP fee assessment, the assessment shall be collected by the Municipal Tax Collector's office in the manner prescribed by statute, and the funds so collected shall be turned over to the Borough of Fort Lee for deposit into the Borough's parking improvement fund trust fund.

B. In the event that the applicant is directed by the granting board to pay the PIP fee assessment in a single lump sum, the assessment shall be collected by the Borough for deposit into the Borough's parking improvement program trust fund.

Section 6. That Borough Ordinance § 261-61 **Establishment of Parking Improvement Program Trust Fund**, shall be repealed and hence forth provide as follows: To the extent required by law, the Borough shall apply to the State of New Jersey, Department of Community Affairs, Local Finance Board, pursuant to administrative rule, for its approval and establishment of a dedicated and restricted trust fund for collection and deposit of PIP fees assessed by the granting board(s) and Borough Council.

Section 7. That Borough Ordinance § 261-62 **Use of Parking Improvement Program Trust Funds**, shall be repealed and hence forth provide as follows: The assessed fees collected and deposited into the parking improvement trust fund shall be dedicated to provide for engineering and design; traffic and other feasibility studies; acquisition through purchase, erection, construction or installation of off-street parking facilities, parking structures and equipment; and other associated parking project development costs. The expenditure of such funds for said purposes shall be made by the Borough at the time and in the manner determined by the Borough Council to be in the best interests of the Borough in providing off-street parking.

Section 8. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

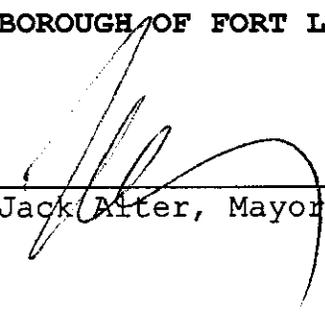
Section 9. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

BOROUGH OF FORT LEE

Neil Grant

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>June 28, 2007</u>
		Public Hearing	<u>July 19, 2007</u>
Seconded	<u>M. VILLANO</u>	Date of Adoption	<u>July 19, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-30

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,110,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,006,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Fort Lee, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,110,000, including the aggregate sum of \$103,600 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby

authorized to be issued in the principal amount of \$2,006,400 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
----------------	---	--	---------------------------------

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>a) <u>Department of Public Works</u>: Various road improvements, including, but not limited to, resurfacing, milling and paving of roads, emergency sewer repairs, acquisition of a sweeper and a sign bucket truck, improvements to various pump stations, including replacement of a pump at the Palisades Terrace Pump Station, acquisition of bull dog units at the Bluff Road and Palisades Terrace Pump Stations, acquisition of transfer box for updated generator at the 12th Street Pump Station, acquisition of a new dry well pump at the Valley Street Pump Station, renovations to pump stations including roof replacements, lights, floors and meters, various improvements to DPW Yard, including acquisition of salt shed for DPW Yard, removal of old salt shed and installation of road to the rear of Public Works Facility and renovation of back yard retaining wall at Public Works Facility, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefore and incidental thereto</p>	\$900,000	\$857,000	10 years
<p>b) <u>Parks Department</u>: Various improvements, including, but not limited to, renovation of new porous playground surfaces at Fireman's Park, Coytesville Park and Whitey Lang Park and replacement of signs for police, streets and streetscape signage</p>	\$160,000	\$152,000	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
c) <u>Buildings and Grounds</u> : Acquisition of various equipment, including, but not limited to, vacuums and buffers, including all related costs and expenditures incidental thereto	\$5,000	\$4,500	15 years
d) <u>Ambulance Corps</u> : Various improvements, including, but not limited to, replacement of all garage doors and purchase of thirty pairs of bunker pants, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefore and incidental thereto	\$25,000	\$23,500	10 years
e) <u>Fire Prevention</u> : Acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto	\$30,000	\$28,500	5 years
f) <u>General Services</u> : Acquisition of vehicles, including, but not limited to, a four-wheel drive mason dump with plow and an ATV with plow, including all related costs and expenditures incidental thereto	\$50,000	\$47,500	5 years
g) <u>General Services</u> : Replacement of windows at Borough Hall, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefore and incidental thereto	\$150,000	\$142,500	10 years
h) <u>Emergency Management</u> : Acquisition of OEM vehicle, including all related costs and expenditures incidental thereto	\$28,000	\$26,500	5 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
i) <u>Communications Department – Radio Repair</u> : Acquisition of various equipment, including, but not limited to, pagers for Ambulance Corps, mobile video recording system and telephone system for Police Department, and twelve LED light bars for police vehicles, and LED light bars for the Fire Department vehicles, including all related costs and expenditures incidental thereto	\$300,000	\$285,500	5 years
j) <u>Recreation</u> : Acquisition of various equipment, including, but not limited to, folding leg tables and wireless microphones, including all related costs and expenditures incidental thereto	\$2,000	\$1,900	5 years
k) <u>Police Department</u> : Acquisition of various equipment, including, but not limited to, computer system, photocopier, fire suppression system for computer hardware room, nine laptops, a fax machine, six radar speed units, and four sport utility vehicles, including all related costs and expenditures incidental thereto	\$200,000	\$190,000	5 years
l) <u>Fire Department</u> : Acquisition of various equipment, including, but not limited to, five sets of turnout gear for each Fire Company, a nightscan featherlite unit and four toughbook computers, including all related costs and expenditures incidental thereto	\$60,000	\$57,000	5 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
m) <u>Administration</u> : Improvements to various public buildings and equipment and acquisition of various computer equipment, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefore and incidental thereto	<u>\$200,000</u>	<u>\$190,000</u>	5 years
TOTALS	<u>\$2,110,000</u>	<u>\$2,006,400</u>	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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 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 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.32 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 \$2,006,400, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$422,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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 ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

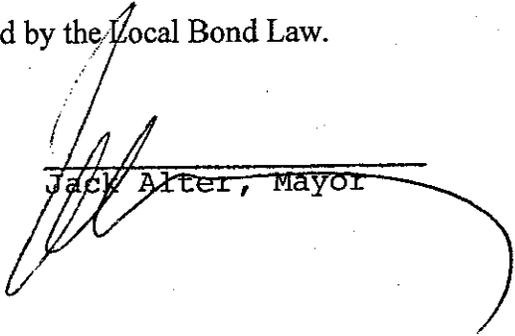
Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. 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

Neil Grant
Borough Clerk



Jack Alter, Mayor

Introduced	<u>J. CURRY</u>	Date of Introduction	<u>June 28, 2007</u>
		Public Hearing	<u>July 19, 2007</u>
Seconded	<u>M. SARGENT</u>	Date of Adoption	<u>July 19, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-31

**BOND ORDINANCE OF THE BOROUGH OF FORT LEE
IN THE COUNTY OF BERGEN, NEW JERSEY,
AMENDING BOND ORDINANCE 2006-36, FINALLY
ADOPTED JULY 20, 2006 AND PROVIDING FOR THE
ACQUISITION OF PROPERTY IN AND BY THE
BOROUGH OF FORT LEE, IN THE COUNTY OF
BERGEN, NEW JERSEY, APPROPRIATING \$3,450,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$3,277,500 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.**

WHEREAS, the Borough of Fort Lee in the County of Bergen, New Jersey (the "Borough") authorized by Ordinance 2004-28, finally adopted on June 10, 2004, the acquisition, through negotiation or condemnation, of property known as 95 Main Street and designated as Block 4805, Lots 2, 3 and 4 on the Borough's tax map (the "Property") ; and

WHEREAS, on June 10, 2004, the Borough adopted Bond Ordinance 2004-27 (the "Initial Bond Ordinance"), which appropriated \$2,250,000 and authorized the issuance of bonds or notes in the amount of \$2,137,500 to fund the acquisition of the Property; and

WHEREAS, on March 11, 2005, the Borough, based on an initial appraisal of the Property, deposited \$2,100,000 with the Superior Court of New Jersey to fund the acquisition of the Property through the use of eminent domain; and

WHEREAS, on July 20, 2006, the Borough adopted Bond Ordinance 2006-36 (the "Prior Bond Ordinance"), which amended the Initial Bond Ordinance in its entirety, to appropriate \$2,650,000 and authorized the issuance of bonds or notes in the amount of \$2,517,500 to fund the acquisition of the Property based on information contained in a revised appraisal; and

WHEREAS, on August 18, 2006, the Borough, based on the revised appraisal of the Property, deposited an additional \$400,000 with the Superior Court of New Jersey to fund the acquisition of the Property; and

WHEREAS, the owners of the Property were seeking \$5,025,000 as just compensation for the Property; and

WHEREAS, on January 9, 2007, the court appointed condemnation commissioners (the "Commissioners") fixed the amount of just compensation for the Property at \$3,450,000; and

WHEREAS, the owners of the Property and the Borough each appealed the determination of the Commissioners; and

WHEREAS, following such appeal, representatives of the owners of the Property and the Borough have engaged in settlement negotiations related to the fair market value of the Property and have agreed to the payment of just compensation in the amount of \$3,300,000 (inclusive of all interest which may have been ordered by the courts); and

WHEREAS, the Borough desires to amend the previously adopted bond ordinances to provide for funding the finally settled acquisition costs for the Property;

NOW THEREFORE 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:

The Prior Bond Ordinance, being Bond Ordinance No. 2006-36 of the Borough of Fort Lee, in the County of Bergen, New Jersey, finally adopted on July 20, 2006, is hereby amended in its entirety to read as follows:

Section 1. The improvement 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, there is hereby appropriated the sum of \$3,450,000, (representing the \$2,650,000 appropriated under the Initial Bond Ordinance, an additional \$400,000 appropriated under the Prior Bond Ordinance and an additional \$800,000 appropriated herein) and including the sum of \$172,500 as the down payment from the Borough's Capital Improvement Fund (representing the \$112,500 of down payment appropriated under the Initial Bond Ordinance, an additional \$20,000 of down payment appropriated under the Prior Bond Ordinance and an additional \$40,000 of down payment appropriated herein) as required by the Local Bond Law.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,277,500 (representing the \$2,137,500 authorized under the Initial Bond Ordinance, an additional \$380,000 authorized under the Prior Bond Ordinance and an additional \$760,000 authorized herein) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the acquisition of Property located in the Borough, commonly known as 95 Main Street, and designated as Block 4805, Lots 2, 3 and 4 on the Borough's tax map, including all related costs and expenditures 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 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 99% of 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that 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 ordinance, is 40 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 \$3,277,500 (representing the \$2,137,500 authorized under the Initial Bond Ordinance, an additional \$380,000 authorized under the Prior Bond Ordinance and an additional \$760,000 authorized herein), and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 (representing an increase of \$0 from the amounts appropriated under the Prior Bond Ordinance) for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such additional funds are so used.

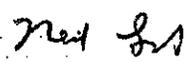
Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

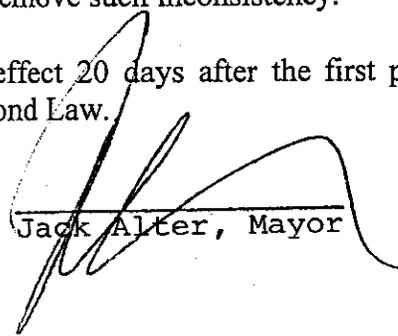
Section 10. This bond ordinance amends and supercedes the Initial Bond Ordinance and the Prior Bond Ordinance. To the extent that there is any inconsistency between this bond ordinance and any other ordinance or resolution, including but not limited to the Initial Bond Ordinance and the Prior Bond Ordinance, the provisions in such ordinance or resolution are hereby repealed or amended to the extent necessary to remove such inconsistency.

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
Borough Clerk

4


Jack Alter, Mayor

Introduced	<u>M. Villano</u>	Date of Introduction	<u>June 28, 2007</u>
Secinded	<u>A. Pohan</u>	Public Hearing	<u>July 19, 2007</u>
		Date of Adoption	<u>July 19, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-32

**BOND ORDINANCE OF THE BOROUGH OF FORT LEE
IN THE COUNTY OF BERGEN, NEW JERSEY,
AMENDING BOND ORDINANCE 2006-39, FINALLY
ADOPTED JULY 20, 2006 AND PROVIDING FOR THE
ACQUISITION OF PROPERTY IN AND BY THE
BOROUGH OF FORT LEE, IN THE COUNTY OF
BERGEN, NEW JERSEY, APPROPRIATING \$5,900,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$2,513,755 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.**

WHEREAS, the Borough of Fort Lee in the County of Bergen, New Jersey (the "Borough") authorized by Ordinance 2006-24, finally adopted on July 20, 2006, the acquisition, through negotiation or condemnation, of property known as 2005 Hoyt Avenue and designated as Block 4802, Lots 2 and 3 on the Borough's tax map (the "Property") to allow for roadway and signal improvements; and

WHEREAS, on July 20, 2006, the Borough adopted Bond Ordinance 2006-39 (the "Prior Bond Ordinance"), to appropriate \$5,500,000 and authorize the issuance of bonds or notes in the amount of \$2,133,755 to fund, among other things, the acquisition of the Property based on information contained in an appraisal of the fair market value of the Property as of September 15, 2005, which appraisal was approved by the Borough on December 19, 2005; and

WHEREAS, on November 21, 2006, the Borough initiated court proceedings in the Superior Court of the State of New Jersey to acquire the Property and deposited \$2,400,000 with the court to fund the deposit of an amount equal to the appraised fair market value of the Property; and

WHEREAS, consistent with the provisions of the Eminent Domain Act, the Borough provided for a revised appraisal establishing the fair market value of the land as of the date of the Borough initiated court proceedings and such revised appraisal established a \$2,800,000 fair market value of the Property as of November 21, 2006; and

WHEREAS, consistent with the provisions of the Eminent Domain Act, the Borough wishes to amend the Prior Bond Ordinance to provide for funding an additional deposit of \$400,000 with the court to reflect the Borough's revised fair market appraisal of the Property;

NOW THEREFORE 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:

The Prior Bond Ordinance, being Bond Ordinance No. 2006-39 of the Borough of Fort Lee, in the County of Bergen, New Jersey, finally adopted on July 20, 2006, is hereby amended in its entirety to read as follows:

Section 1. The improvement 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, there is hereby appropriated the sum of \$5,900,000, (representing an increase of \$400,000 from the Prior Bond Ordinance) and including (i) \$2,000,000 provided as a contribution from the County of Bergen, (ii) \$1,253,942 provided as a contribution from the Port Authority of New York and New Jersey, and (iii) \$132,303 (representing an increase of \$20,000 from the Prior Bond Ordinance) as the down payment from the Borough's Capital Improvement Fund as required by the Local Bond Law.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or from the contributions referred to in Section 1, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,513,755 (representing an increase of \$380,000 from the Prior Bond Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the acquisition of property located in the Borough, commonly known as the Property (2005 Hoyt Avenue), as well as 153 Main Street and 33-35 Main Street, and including all related costs and expenditures 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 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 99% of 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that 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 ordinance, is 40 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 \$2,513,755 (representing an increase of \$380,000 from the Prior Bond Ordinance), and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$750,000 (representing an increase of \$0 from the amounts appropriated under the Prior Bond Ordinance) for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied to direct payment of the cost of the improvement or to payment of the obligations

issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such additional funds are so used.

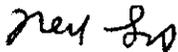
Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

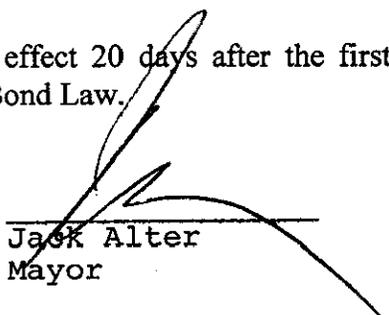
Section 10. This bond ordinance amends and supercedes the Prior Bond Ordinance. To the extent that there is any inconsistency between this bond ordinance and any other ordinance or resolution, including but not limited to the Prior Bond Ordinance, the provisions in such ordinance or resolution are hereby repealed or amended to the extent necessary to remove such inconsistency.

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
Borough Clerk



Jack Alter
Mayor

Introduced	<u>J. Conyers</u>	Date of Introduction	<u>July 19, 2007</u>
Seconded	<u>A. P. Ryan</u>	Public Hearing	<u>August 16, 2007</u>
		Date of Adoption	<u>August 16, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-33

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

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

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

Name of Street	Side:	Location
Briar Way	East	Beginning From a Point 128 Feet South of the Curb Line of Bridle Way to a Point 161 Feet South of the Curb Line of Bridle Way

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

Jack Alter, Mayor

Introduced	<u>J. CERVIRO</u>	Date of Introduction	<u>July 19, 2007</u>
Seconded	<u>A. POKAN</u>	Public Hearing	<u>August 16, 2007</u>
		Date of Adoption	<u>August 16, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-34

**AN ORDINANCE REPEALING CHAPTER 370, ARTICLE II,
PARKING SALES TAX IN THE BOROUGH OF FORT LEE**

WHEREAS, the governing body of the Borough of Fort Lee adopted Ordinance #2006-58 on December 14, 2006 which established Chapter 370, Article II, Municipal Parking Sales Tax, in response to the imposition of the State Parking Sales Tax; and

WHEREAS, Governor Corzine recently approved P.L. 2007, c. 105, repealing the imposition of the State Sales Tax on municipal parking, et al.; and

WHEREAS, the repeal took effect on July 1, 2007,

NOW, THEREFORE, BE IT ORDAINED, that the governing body of the Borough of Fort Lee authorizes the repeal of Ordinance #2006-58, Chapter 370, Article II, Municipal Parking Sales Tax.

Section I. All other parts, portions and provisions of Chapter 370 of the Fort Lee Code entitled "Taxation" 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 II. 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 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>A. VILANO</u>	Date of Introduction	<u>July 19, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>August 16, 2007</u>
		Date of Adoption	<u>August 16, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-35

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 410, "ZONING," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE CONCERNING THE R-6A AGE-RESTRICTED APARTMENT RESIDENTIAL ZONE.

WHEREAS, the Mayor and Council of the Borough of Fort Lee created the R-6A Zone by Ordinance No. 2002-42 on November 14, 2002 and made certain corrections by Ordinance No. 2003-8 on March 27, 2003 for the purpose of encouraging private redevelopment of certain properties in the eastern portion of its downtown having found that the prior R-6 Zoning had not spurred new development; and

WHEREAS, a site plan and dimensional variances for new residential development in the R-6A Zone consisting of age-restricted housing had been granted by the Fort Lee Planning Board in 2004 but that development has been stymied owing to the current weakness of the real estate market for age-restricted housing; and

WHEREAS, it is recognized that the Amendment to the Master Plan Land Use Element adopted by the Planning Board on September 4, 2002 encouraged residential redevelopment by providing density and building height incentives for age-restricted housing, but did not anticipate changed market conditions for such specialized housing and limited non-age-restricted housing that could be built in accordance with the standards of the R-6 Zone; and

WHEREAS, the Mayor and the Council continue to be desirous of encouraging private redevelopment in the R-6A Zone and have determined that it is in the best interests of the Borough of Fort Lee to amend the R-6A Zone regulations to allow non-age-restricted apartments but at a maximum density lower than that permitted for age-restricted apartments; and

WHEREAS, the existing R-6A Zone regulations are contained in Chapter 410, "Zoning," of the Revised General Ordinances of the Borough of Fort Lee; and

WHEREAS, amendments to Chapter 410, "Zoning" are necessary to implement certain changes to the existing regulations of the R-6A Zone,

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

Section I. Chapter 410, "Zoning," of the General Ordinances of the Borough of Fort Lee be and is hereby amended by replacing the following sections of Chapter 410 with the text below.

§ 410-8. Designation of zones.

For the purpose of this chapter, the Borough of Fort Lee is hereby divided into 34 zones differentiated according to use and building regulations and to be designated as follows:

R-6A Apartment Residential Zone

§ 410-11. Schedule of regulations.

Zoning Schedule IV-1, Use Regulations

Zone District	Permitted Principal Use	Permitted Accessory Use	Conditional Use
R-6A Apartment	See § 410-37.1	See § 410-37.1	See § 410-37.1

Zoning Schedule IV-2, Area, Bulk and Yard Requirements

Zone District	(Various bulk parameters)
R-6A Apartment	See § 410-37.1

B. Replace the following sections of Chapter 410 with the text below.

§ 410-37.1 R-6A Apartment Zone

A. Purpose and applicability. The purpose of the R-6A Apartment Zone is to encourage private redevelopment by allowing for the construction of apartments at a density and building height that recognize the area's view potential and proximity to transportation infrastructure. Further, increased density is permitted for age-restricted apartments in recognition of the reduced land use impacts associated with this type of housing. More intense development also is permitted on larger properties, which can better accommodate increased development intensity compared with smaller properties.

B. Principal permitted uses:

- (1) One-family detached dwelling.
- (2) Two-family detached dwelling.
- (3) Multi-family apartments.
- (4) Age-restricted apartments.

C. Permitted accessory uses:

- (1) An apartment building may be permitted to have up to 10,000 square feet of ground floor area devoted to retail/commercial sales or services, including food services, for the exclusive use of the residents of the apartment development.
 - (2) Any R-6 permitted accessory use under the same conditions as prescribed therein.
 - (3) Other accessory uses customarily incidental to a permitted use.
- D. Permitted conditional uses: Any R-6 conditional use under the same conditions as prescribed therein.
- E. Maximum density:
- (1) Age-restricted apartments: 125 dwelling units per acre.
 - (2) Multi-family apartments (non-age-restricted): 85 dwelling units per acre.
- F. Bulk standards:
- (1) Minimum lot area:
 - (a) One-family detached dwellings: 5,000 square feet.
 - (b) Two-family detached dwellings: 6,000 square feet.
 - (c) Multi-family apartments and age-restricted apartments: 21,780 square feet.
 - (2) One- and two-family detached dwellings:
 - (a) Minimum lot area per unit:
 - [1] One-family: 5,000 square feet.
 - [2] Two-family: 3,000 square feet.
 - (b) Minimum lot width:
 - [1] One-family: 50 feet.
 - [2] Two-family: 60 feet.
 - (c) Maximum lot coverage: 30%.
 - (d) Maximum building height: 35 feet/2½ stories.
 - (e) Minimum front yard: 20 feet.
 - (f) Minimum side yard (one): 6 feet.
 - (g) Minimum side yard (both): 14 feet.

- (h) Minimum rear yard: 25 feet.
- (3) Multi-family apartments and age-restricted apartments – for lots less than 43,560 square feet in area:
- (a) Minimum lot width: 100 feet.
 - (b) Minimum lot depth: 100 feet.
 - (c) Maximum building height: 70 feet/6 stories above the elevation of Central Road.
 - (d) Maximum lot coverage: 30%.
 - (e) Maximum improved lot coverage: 75%.
 - (f) Minimum setback to a building:
 - [1] From Central Road: 20 feet
 - [2] From Bigler Street: 20 feet
 - [3] From Bridge Plaza South: 30 feet.
 - [4] From Central Avenue: 140 feet.
 - (g) Minimum setback to a parking garage:
 - [1] From Central Road: not applicable
 - [2] From Bigler Street: 20 feet
 - [3] From Bridge Plaza South: 20 feet.
 - [4] From Central Avenue: 20 feet.
- (4) Multi-family apartments and age-restricted apartments – for lots 43,560 square feet or greater in area:
- (a) Minimum lot width: 200 feet.
 - (b) Minimum lot depth: 200 feet.
 - (c) Maximum building height: 13 stories above the elevation of Central Road.
 - (d) Maximum lot coverage: 35%.
 - (e) Maximum improved lot coverage: 75%.
 - (f) Minimum setback to a building:

- [1] From Central Road: 20 feet
- [2] From Bigler Street: 20 feet
- [3] From Bridge Plaza South: 30 feet.
- [4] From Central Avenue: 140 feet.

(g) Minimum setback to a parking garage:

- [1] From Central Road: not applicable
- [2] From Bigler Street: 20 feet
- [3] From Bridge Plaza South: 20 feet.
- [4] From Central Avenue: 20 feet.

(h) Maximum floor area ratio (exclusive of areas devoted to structured parking):
3.0.

G. All parking for multi-family apartments and age-restricted apartments must be below the grade of Central Road and no more than four levels of structured parking shall be permitted.

H. The minimum parking requirements for all residential uses shall be in accordance with the New Jersey Residential Site Improvement Standards.

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 determined to govern. All other parts, portions and provisions of Chapter 410 of the Revised General Ordinances of the Borough of Fort Lee are hereby ratified and confirmed, except where inconsistent with the terms hereof.

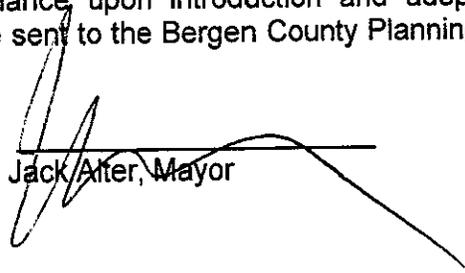
Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section V. A certified copy of the Ordinance, upon introduction and adoption and any accompanying explanatory resolution shall be sent to the Bergen County Planning Board along with any explanatory resolution.

Attest:

Neil Grant

Neil Grant, Borough Clerk



Jack Alter, Mayor

Introduced	<u>M. SARGENT</u>	Date of Introduction	<u>July 19, 2007</u>
Seconded	<u>I. KASUSKY</u>	Public Hearing	<u>August 16, 2007</u>
		Date of Adoption	<u>August 16, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-36

AN ORDINANCE TO GRANT TO THE COUNTY OF BERGEN EASEMENTS ACROSS LAND OWNED BY THE BOROUGH OF FORT LEE TO FACILITATE THE WIDENING OF MAIN STREET

WHEREAS, the Borough of Fort Lee (hereafter "the Borough") is engaged in that certain road and traffic signal improvement project known as the Main Street and Hudson Terrace Roadway and Traffic Signal Improvement Project (hereafter, "the Project"); and

WHEREAS, the Project is a cooperative effort among the Borough, the Port Authority of New York and New Jersey (hereafter, "the Port Authority"), and the County of Bergen (hereafter "the County") by formal agreement, and also through other agreements with the Palisades Interstate Park Commission (hereafter "PIP"); and

WHEREAS, the Project requires that certain land located along Main Street in the Borough and currently owned by the Borough, be utilized by the County for the purpose of widening the traffic lanes of Main Street; and

WHEREAS, pursuant to the Local Lands and Buildings Law (hereafter "the Act"), N.J.S.A. 40A:12-1, et seq., the County and the Borough are authorized to acquire land by gift, devise, purchase, exchange, grant, lease, condemnation, or installment purchase agreement for public use; and

WHEREAS, the Borough has acquired by condemnation and/or purchase four properties

within the Borough of Fort Lee and bordering on Main Street (hereafter “the Properties”); and

WHEREAS, the Borough consents to granting a Deed of Easement for Roadway Purposes to the County of Bergen to facilitate the Project, including any incidental temporary construction easements,

NOW, THEREFORE, BE IT ORDAINED,

Article 1: The recitals listed above and the definition of terms as set forth are hereby included within this Ordinance.

Article 2: This Ordinance shall affect the following properties (hereafter “the Properties”):

- A. Block 4802, Lot 4, referred to as Parcel 1 of the Project;
- B. Block 4802, Lots 2 and 3, and including any and all easements previously granted in favor of said property, as well as any previously vacated section of Hoyt Avenue, referred to as Parcel 2 of the Project;
- C. Block 4805, Lots 2, 3, and 4, which includes an easement for right of way previously granted to the County of Bergen (no parcel number); and
- D. Block 4305, Lot 36, referred to as Parcel 12 of the Project).

Article 3: With the exception of Block 4805, Lots 2, 3, and 4, which lots are already subject to an easement for right of way in favor of the County, the Borough of Fort Lee does hereby grant to the County of Bergen a Deed of Easement for Roadway Purposes for the above-referenced properties, pursuant to the form of Deed of Easement attached to this Ordinance as Exhibit A.

The easements hereby granted by the Borough of Fort Lee to the County of Bergen are, with respect to the Properties listed, as set forth in the metes and bounds description attached to

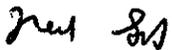
this Ordinance as Exhibit B and include additional easements of a temporary nature to facilitate construction. Exhibit B is based upon surveys provided by Martin F. Tirella, Professional Land Surveyor, New Jersey License No. 27477, as provided to the Borough of Fort Lee through its design engineers, Schoor De Palma. The approximate area of the easements granted hereby to the County of Bergen for land fronting on Main Street are:

- A. Block 4802, Lot 4, approximately 582 square feet (Parcel 1);
- B. Block 4802, Lots 2 and 3, including the vacated section of Hoyt Avenue and any easements appurtenant to the land, approximately 1,714 square feet (Parcel 2);
and
- C. Block 4305, Lot 36, approximately 498 square feet (Parcel 12); and

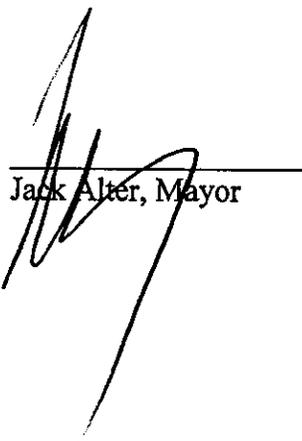
BE IT FURTHER ORDAINED, that the Mayor of the Borough Fort Lee is authorized on behalf of the Borough to sign Deeds of Easement to convey and grant to the County of Bergen the said easements as outlined in this Ordinance, and the Borough Clerk is further authorized to attest the seal and witness to the execution of said Deeds of Easement.

This Ordinance shall take effect following adoption and approval in the manner provided by law.

Attest:



Neil Grant
Borough Clerk



Jack Alter, Mayor

Exhibit A

Prepared by: Louis M. Flora, Esq.

Record and Return to:
Law Offices of Dennis J. Oury, LLC
1 University Plaza, Suite 601
Hackensack, NJ 07601

DEED OF EASEMENT FOR ROADWAY PURPOSES

This **DEED of EASEMENT** is made on _____, 2007,

BETWEEN: the BOROUGH OF FORT LEE, whose address is 309 Main Street, Fort Lee, New Jersey 07024, referred to collectively as the Grantor.

AND: COUNTY OF BERGEN, a body politic of the State of New Jersey, whose address is One Bergen County Plaza, Hackensack, New Jersey 07601-7076, referred to as the Grantee.

The words Grantor and Grantee shall mean all Grantors and all Grantees listed above.

Grant of Easement. The Grantor grants and conveys to the Grantee a perpetual right-of-way and easement through, over, upon, under, in and across the property described in metes and bounds as set forth in Exhibit "B", annexed hereto. Such right-of-way and easement shall be for a public roadway and all necessary surface and subsurface appurtenances, including curbing, sidewalks, storm and sanitary sewers and other public utilities and shall include the perpetual right to construct, reconstruct, operate, inspect, protect and repair all improvements constructed within said property including all reasonable incidental rights to protect and preserve the constructed improvements such as the right to subjacent lateral support, and the perpetual right to use said property for the purposes aforesaid.

Temporary Construction Easement In addition to the Easement being granted for

roadway purposes, the Grantor does also grant to the Grantee a temporary construction easement consisting of the right to grade, fill, topsoil and seed same for the purposes of stabilizing the soil, preventing erosion and/or improving the aesthetic aspects of the roadside upon the lands of the Grantor, and to enter upon the land of the Grantor for the purpose of constructing the roadway and improvements as necessary for the establishment of the easement right of way, all as further described to be within and confined by the metes and bounds description as set forth in Exhibit B hereto. The temporary construction easement shall terminate upon completion of construction.

Consideration. This Easement is made for valuable consideration of less than One Hundred Dollars (\$100.00), the receipt and sufficiency of which is hereby acknowledged by Grantor.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Borough of Fort Lee, County of Bergen, Block _____, Lots _____.

Property A portion of Grantor's property located in the Borough of Fort Lee, County of Bergen and State of New Jersey as shown on the attached Exhibit A, and as set forth more specifically in the metes and bounds description attached hereto as Exhibit B.

Promises by Grantor. The Grantor's promises are listed below. Each promise is expressed in the language of New Jersey law (with a reference to the law) and is followed by an explanation in plain language. The Grantor promises that:

- A. The Grantor is lawfully seized of the said land (N.J.S.A. 46:4-3) - the Grantor is the legal owner in fee simple absolute;
- B. The Grantor has the unencumbered right to convey the Easement to the Grantee (N.J.S.A. 46:4-4);
- C The Grantor will comply with the Grantee's reasonable requests to correct any

defect in the creation or location of the Easement;

Maintenance by Grantee. Except for sidewalk which Grantor shall maintain and be solely responsible for, the Grantee shall at all times maintain and repair that portion of the described premises actually used for road widening purposes and keep same in good condition and repair, at the sole cost and expense of the Grantee.

Repair of Damage. In the event any damage is proximately caused to Grantor's Property or the improvement located thereon as a result of the Grantee's use of the Easement granted herein, Grantee covenants and agrees to promptly repair such damage and restore such Property and the improvements located thereon to substantially similar conditions to that existing prior to such damage, at Grantee's sole cost and expense.

Indemnification of Grantor Grantee shall indemnify, defend, and save harmless the Grantor from any and all costs, claims, damages or suits for loss or injury to persons or property arising from the Grantee's maintenance and/or use of the area improved for road widening purposes, except where such costs, claims, damages or suits are the result of the negligent or intentional acts of the Grantor.

Who is Bound. The promises made in this Deed are legally binding upon the Grantor and the Grantee and all who lawfully succeed to the respective rights, title, interests and responsibilities of the Grantor and Grantee. These promises can be enforced by the Grantor and the Grantee and all future owners of the property.

Signatures. The Grantor signs this Deed as of the date at the top of the first page. If the Grantor is a corporation, this Deed is signed and attested by its proper corporate officers and its corporate seal is affixed.

:
Witness or Attest:

THE BOROUGH OF FORT LEE

L.S. _____
Neil Grant, Borough Clerk
Borough of Fort Lee

By: _____
Jack Alter
Mayor of the Borough of Fort Lee

STATE OF NEW JERSEY, COUNTY OF BERGEN S.S.:

I CERTIFY that on _____, Jack Alter and Neil Grant personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is the Mayor and Borough Clerk of the Borough of Fort Lee, the Grantor named in this Deed;
- (b) this Deed was signed, sealed and delivered by the Borough as its voluntary act duly authorized by a proper Ordinance of the Mayor and Council;
- (c) this person knows the proper seal of the Borough which was affixed to this Deed;
- (d) this person signed this proof to attest to the truth of these facts; and
- (e) the full and actual consideration paid or to be paid for the transfer of title is less than \$100.00. (Such consideration is defined in N.J.S.A. 46:15-5.)

Notary Public

Exhibit B

All that certain land and premises, situate, lying and being in the Borough of Fort Lee, in the County of Bergen and State of New Jersey and particularly described as follows:

Parcel 2 including specifically all the land and premises more particularly described as follows:

Beginning at a point at the intersection of the existing northerly right-of-way line of Main Street with the division line between Lot 2 and Lot 4 in Block 4802, said point having New Jersey State Plane Coordinates (NAD1983) of North 735347.3959, and East 639303.8749, said point also being distant thirteen and seventy-three hundredths feet more or less ($13.73' \pm$), northerly from and at right angles to Main Street construction baseline station ($594+05.52 \pm$); and from said beginning point running, thence;

1. North twenty-four degrees thirty-one minutes twenty-six seconds East ($N 24^{\circ} 31' 26'' E$), along the division line between Lot 4 and Lot 2 in Block 4802, a distance of nineteen and ninety-six hundredths feet more or less ($19.96' \pm$) to a point in the proposed northerly right-of-way line of Main Street, thence;
2. South eighty degrees thirty-six minutes fifty-nine seconds East ($S 80^{\circ} 36' 59'' E$), along said line, a distance of eighty-eight and ninety-five hundredths feet more or less ($88.95' \pm$) to a point in the division line between Lot 2 in Block 4802 and Lot 1 in Block 4801, thence;
3. South twenty-four degrees thirty-four minutes two seconds West ($S 24^{\circ} 34' 02'' W$), along said division line, a distance of nineteen and ninety-seven hundredths feet more or less ($19.97' \pm$) to a point in the existing northerly right-of-way line of Main Street, thence;
4. North eighty degrees thirty-six minutes thirty-two seconds West ($N 80^{\circ} 36' 32'' W$), along said line, a distance of eighty-eight and ninety-three hundredths feet more or less ($88.93' \pm$) to the point and place of beginning.

Being and intended to be a portion of Lot 2 in Block 4802, containing 1,714 square feet \pm (0.039 acre \pm) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Alfred P. & Catherine Campo, Parcel 2", Prepared Prepared by Schoor Depalma, Manalapan, N.J., dated October 15, 2005.

Being also known as portion of Lot 2 in Block 4802 as shown on the tax map of the Borough of Fort Lee.

Parcel TE2 (Temporary Construction Easement) being a temporary construction easement consisting of the right to construct curbing, pavement, sidewalks, clear and construct slopes, including the right to grade, fill, topsoil, and seed same for the purposes of stabilizing the soil, preventing erosion and/or improving the aesthetic aspects of the roadside upon the lands of the owner within the easement limits described below. Said easement shall terminate upon completion of construction.

Being and intended to be a portion of Lot 2 in Block 4802, containing 445 square feet \pm (0.010 acre \pm) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Kyong C. Alfred P. & Catherine Campo, Parcel 2", Prepared by Schoor Depalma, Manalapan, N.J., dated October 15, 2005.

Being also known as portion of Lot 2 in Block 4802 as shown on the tax map of the Borough of Fort Lee.

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

All that certain land and premises, situate, lying and being in the Borough of Fort Lee, in the County of Bergen and State of New Jersey and particularly described as follows:

Parcel 1 including specifically all the land and premises more particularly described as follows:

Beginning at a point at the intersection of the existing northerly right-of-way line of Main Street with the existing easterly right-of-way line of Martha Washington Way, said point having New Jersey State Plane Coordinates (NAD1983) of North 735352.3036, and East 639274.2012, said point also being distant thirteen and seventy-four hundredths feet more or less (13.74'±), northerly from and at right angles to Main Street construction baseline station (593+75.44±); and from said beginning point running, thence;

1. North twenty-three degrees fifty-four minutes forty-three seconds East (N 23° 54' 43" E), along the existing easterly right-of-way line of Martha Washington Way, a distance of nineteen and ninety hundredths feet more or less (19.90'±) to a point in the proposed northerly right-of-way line of Main Street, thence;
2. South eighty degrees thirty-six minutes fifty-nine seconds East (S 80° 36' 59" E), along said line, a distance of thirty and thirty hundredths feet more or less (30.30'±) to a point in the division line between Lot 4 and Lot 2 in Block 4802, thence;
3. South twenty-four degrees thirty-one minutes twenty-six seconds West (S 24° 31' 26" W), along said division line, a distance of nineteen and ninety-six hundredths feet more or less (19.96'±) to a point in the existing northerly right-of-way line of Main Street, thence;
4. North eighty degrees thirty-six minutes thirty-two seconds West (N 80° 36' 32" W), along said line, a distance of thirty and eight hundredths feet more or less (30.08'±) to the point and place of beginning.

Being and intended to be a portion of Lot 4 in Block 4802, containing 582 square feet ± (0.013 acre ±) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Kyong C. Kim, Parcel 1", Prepared Prepared by Schoor Depalma, Manalapan, N.J., dated October 15, 2005, about to be filed in the Bergen County Clerk's Office.

Being also known as portion of Lot 4 in Block 4802 as shown on the tax map of the Borough of Fort Lee.

Parcel TE1 (Temporary Construction Easement) being a temporary construction easement consisting of the right to construct curbing, pavement, sidewalks, clear and construct slopes, including the right to grade, fill, topsoil, and seed same for the purposes of stabilizing the soil, preventing erosion and/or improving the aesthetic aspects of the roadside upon the lands of the owner within the easement limits described below. Said easement shall terminate upon completion of construction.

Being and intended to be a portion of Lot 4 in Block 4802, containing 152 square feet \pm (0.003 acre \pm) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Kyong C. Kim, Parcel 1", Prepared by Schoor Depalma, Manalapan, N.J., dated October 15, 2005, about to be filed in the Bergen County Clerk's Office.

Being also known as portion of Lot 4 in Block 4802 as shown on the tax map of the Borough of Fort Lee.

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

All that certain land and premises, situate, lying and being in the Borough of Fort Lee, in the County of Bergen and State of New Jersey and particularly described as follows:

Parcel 12 including specifically all the land and premises more particularly described as follows:

Beginning at a point in the intersection of the existing westerly right-of-way line of Main Street (C.R. 505) and the existing northerly right-of-way line of Old Palisade Road, said point having New Jersey State Plane Coordinates (NAD1983) of North 734444.9103, and East 640098.6862, said point also being distant twenty-two and ninety-four hundredths feet more or less (22.94'±), westerly from and radial to Main Street (C.R. 505) construction baseline station (14+84.31±); and from said beginning point running, thence;

1. North seventy-two degrees twenty-four minutes thirty-eight seconds West (N 72° 24' 38" W), along the northerly right-of-way line of Old Palisade Road, a distance of five and six hundredths feet more or less (5.06'±) to a point, thence;
2. Northeasterly, along the proposed westerly right-of-way line of Main Street (C.R. 505), along a curve to the left, having a radius of seven hundred twenty-two and zero hundredths feet (722.00'), an arc length of twenty-eight and forty-eight hundredths feet more or less (28.48'±), a chord bearing of North sixteen degrees four minutes forty-three seconds East (N 16° 04' 43" E) and a chord distance of twenty-eight and forty-eight hundredths feet more or less (28.48'±) to a point of tangency, thence;
3. North fourteen degrees fifty-six minutes fifty-four seconds East (N 14° 56' 54" E), along said proposed right-of-way line, a distance of twenty-one and twenty-nine hundredths feet more or less (21.29' ±) to a point in the dividing line between Lot 36 and Lot 35 in Block 4305, thence;
4. South seventy-two degrees twenty-four minutes thirty-eight seconds East (S 72° 24' 38" E), along said dividing line, a distance of three and ninety-four hundredths feet more or less (3.94'±) to a point in the existing westerly right-of-way line of Main Street (C.R. 505), thence;
5. South fourteen degrees eighteen minutes twenty-four seconds West (S 14° 18' 24" W), along said westerly right-of-way line, a distance of forty-nine and eighty-two hundredths feet more or less (49.82'±) to the point and place of beginning.

Being and intended to be a portion of Lot 36 in Block 4305, containing 215 square feet ± (0.005 acre ±) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Steve & Hannah Rimac, Parcel 12" Prepared by Schoor Depalma, Manalapan, N.J., dated September 23, 2005.

Being also known as portion of Lot 36 in Block 4305 as shown on the tax map of the Borough of Fort Lee.

Parcel TE12 (Temporary Construction Easement) being a temporary construction easement consisting of the right to construct curbing, pavement, sidewalks, clear and construct slopes, including the right to grade, fill, topsoil, and seed same for the purposes of stabilizing the soil, preventing erosion and/or improving the aesthetic aspects of the roadside upon the lands of the owner within the easement limits described below. Said easement shall terminate upon completion of construction.

Being and intended to be a portion of Lot 36 in Block 4305, containing 498 square feet \pm (0.011 acre \pm) and as shown on a certain plan entitled "Main Street and Hudson Terrace Roadway and Traffic Signal Improvements, Borough of Fort Lee, Bergen County, New Jersey, N/F Steve & Hannah Rimal, Parcel 12". Prepared by Schoor Depalma, Manalapan, N.J., dated August 12, 2005.

Being also known as portion of Lot 36 in Block 4305 as shown on the tax map of the Borough of Fort Lee.

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

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>August 16, 2007</u>
Seconded	<u>M. SARGENTI</u>	Public Hearing	<u>September 6, 2007</u>
		Date of Adoption	<u>September 6, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-37

AN ORDINANCE AMENDING SALARY ORDINANCE #2006-46 ESTABLISHING TITLE, SALARY AND SALARY RANGE FOR THE WHITE COLLAR EMPLOYEE POSITION OF ASSISTANT CONTROL PERSON

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-46 is hereby amended as follows:

SECTION I: White Collar Personnel Schedule "A" shall be amended to include the title, salary and salary range for the following position for 2007-2009.

<u>Title</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Assistant Control Person/ Clerk-Typist, Bilingual in Spanish and English	\$35,000	36,411	37,878
	<u>Salary Range</u>		
	\$30,000 - \$45,000		

SECTION II: This ordinance shall supercede any previous adopted ordinances with regard to this position and shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky
Ila Kasofsky, Acting Mayor

Introduced	<u>J. Cervieri</u>	Date of Introduction	<u>August 16, 2007</u>
Seconded	<u>M. SARGENTI</u>	Public Hearing	<u>September 6, 2007</u>
		Date of Adoption	<u>September 6, 2007</u>

BOROUGH OF FORT LEE
ORDINANCE # 2007-38

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388,
SECTION 63, SCHEDULE XVII, OF THE CODE OF THE BOROUGH
OF FORT LEE, ENTITLED "VEHICLES AND TRAFFIC" - LANE
USE RESERVATIONS DURING CERTAIN WEEKDAY HOURS**

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:

US Routes 1 & 9 North at North Avenue - No Right Turn
Between the Hours of 7:00 a.m. and 9:00 a.m., Monday through Friday or as Otherwise Posted

US Routes 1 & 9 North at Christie Lane - No Right Turn
Between the Hours of 7:00 a.m and 9:00 a.m., Monday through Friday or as Otherwise Posted

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

Ila Kasofsky
Ila Kasofsky
Acting Mayor

Introduced	<u>J. CIRVELLY</u>	Date of Introduction	<u>August 16, 2007</u>
Seconded	<u>A. PCHAN</u>	Public Hearing	<u>September 6, 2007</u>
		Date of Adoption	<u>September 6, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-39

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 58, SCHEDULE XIV, OF THE BOROUGH OF FORT LEE CODE ENTITLED "VEHICLES AND TRAFFIC - LEFT TURN PROHIBITION DURING CERTAIN WEEKDAY HOURS

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

Section I. Chapter 388, Section 27, of the Fort Lee Code Entitled "Vehicles and Traffic - Left Turn Prohibition", and Chapter 388, Section 58, entitled "Schedule XIV: No Left Turn" be and the same are hereby amended and supplemented by the addition thereto of the following:

William Street at Main Street

Between the hours of 7:00 a.m. to 9:00 a.m. on weekdays or as otherwise posted

Section II. All other parts, portions and provisions of Chapter 388 of the Fort Lee Code entitled "Vehicles and Traffic - Left Turn Prohibition" and "Schedule XIV: No Left Turn" be and the same are hereby ratified and confirmed, except where inconsistent herewith. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky
Ila Kasofsky
Acting Mayor

Introduced	<u>J. CURVILLY</u>	Date of Introduction	<u>August 16, 2007</u>
Seconded	<u>J. KASOFSKY</u>	Public Hearing	<u>September 6, 2007</u>
		Date of Adoption	<u>September 6, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-40

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 64, SCHEDULE XVII, CROSSWALKS, OF THE BOROUGH OF FORT LEE CODE ENTITLED "VEHICLES AND TRAFFIC"

Section I. BE IT ORDAINED, by the Mayor and Council that the following listed crosswalks be amended.

<u>Name of Street</u>	<u>Location</u>
(A) Horizon Road North	542 feet north of its intersection with Horizon Road South
	945 feet north of its intersection with Horizon Road South
Horizon Road South	495 feet east of its intersection with Palisade Avenue

Section II. BE IT FURTHER ORDAINED, by the Mayor and Council that the following mid-block crosswalk be established and codified into the Borough's ordinances.

<u>Name of Street</u>	<u>Location</u>
(B) 319 Main Street	Beginning at a point 245 feet west of the westerly curbline of Center Avenue and extending 12' westerly therefrom

Section III. All other parts, portions and provisions of Chapter 388 of the Fort Lee Code entitled "Vehicles and Traffic" 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 IV. The provisions of this Ordinance are hereby declared to be severable; should any section or portion thereof

be held invalid or unconstitutional, such decision shall not affect the validity of any remaining sections hereof.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky

Ila Kasofsky
Acting Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>August 16, 2007</u>
Seconded	<u>J. CURVIERO</u>	Public Hearing	<u>September 6, 2007</u>
		Date of Adoption	<u>September 6, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-41

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69, SCHEDULE XXIII, 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 east curb line of Linwood Avenue beginning at a point 83 feet south of the apex of Bridge Plaza North and Linwood Avenue and continuing south along the same line extending an additional 25 feet south.

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

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky
Acting Mayor

Introduced	<u>J. CAVIERS</u>	Date of Introduction	<u>September 6, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>September 27, 2007</u>
		Date of Adoption	<u>September 27, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-42

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

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

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

388-69: Along the east curb line of North Central Road beginning at a point 62 feet south of the southern tip of the main entrance driveway exit of 2200 North Central Road an extending 25 feet south along the same curb line.

388-69: Along the east curb line of North Central Road beginning at a point 87 feet south of the southern tip of the main entrance driveway exit of 2200 North Central Road an extending 25 feet south along the same curb line.

388-69: Along the east curb line of Morningside Lane, beginning at a point 168 feet north of the apex formed by the east curb line of Morningside Lane and the north curb of Route 5 and extending another 25 feet north along the east curb line.

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

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky

Ila Kasofsky
Acting Mayor

Introduced	J. CURVENS	Date of Introduction	September 6, 2007
Seconded	M. SARGENT	Public Hearing	September 27, 2007
		Date of Adoption	September 27, 2007

BOROUGH OF FORT LEE

ORDINANCE # 2007-43

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

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

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

Name of Street	Side:	Location
Morningside Lane	West	Intersection of Bergen Boulevard to Route 5
Morningside Lane	East	Beginning From a Point 215 Feet From Route 5 to Bluff Road

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

Ila Kasofsky
Ila Kasofsky
Acting Mayor

Introduced	<u>J. CERVINO</u>	Date of Introduction	<u>September 6, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>September 27, 2007</u>
		Date of Adoption	<u>September 27, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-44

**AN ORDINANCE AMENDING SALARY ORDINANCE #2006-46 AMENDING
TITLES, SALARIES AND SALARY RANGES FOR WHITE COLLAR
EMPLOYEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-46 is hereby amended as follows:

SECTION I: White Collar Personnel Schedule "A" shall be amended to include the titles, amended salaries, and amended salary ranges for the following positions from July 1, 2007 through December 31, 2009.

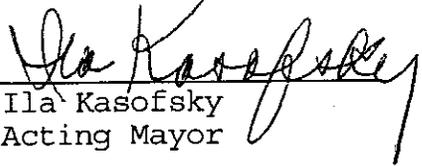
<u>Title</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Principal Clerk Typist, Bilingual in Spanish and English	\$42,114	43,811	45,577
Inventory Control Clerk	\$24,522	25,510	26,538
Senior Citizen Aid	\$16,637	17,307	18,004
Building Service Worker	\$21,563	22,432	23,336

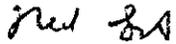
Salary Ranges

Principal Clerk Typist, Bilingual in Spanish and English	\$25,000 to 50,000
Inventory Control Clerk	\$20,000 to 40,000
Senior Citizen Aid	\$14,000 to 20,000
Building Service Worker	\$20,000 to 30,000

SECTION II: This ordinance shall supercede any previous adopted ordinances with regard to these positions and shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:


Ila Kasofsky
Acting Mayor



Neil Grant
Borough Clerk

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>September 27, 2007</u>
Seconded	<u>A. POGAN</u>	Public Hearing	<u>October 11, 2007</u>
		Date of Adoption	<u>October 11, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-45

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

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

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

Name of Street	Side	Location
Ellery Avenue	East	From West Street to Terminus
Ellery Avenue	West	Along the west curb of Ellery Avenue, beginning at a point eight (8) feet north of the apex formed by the west curb of Ellery Avenue and the north curb of the exit driveway of 2195-2199 Ellery Avenue and extending sixty (60) feet north along the same curblines.
Ellery Avenue	West	Along the west curb of Ellery Avenue, beginning at a point 20 feet south of the apex formed by the west curb of Ellery Avenue and the south curb of the entrance driveway of 2159-2199 Ellery Avenue and extending twenty feet north along the same curblines

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

Ila Kasofsky

Ila Kasofsky
Acting Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>September 27, 2007</u>
Seconded	<u>M. SOKOLICH</u>	Public Hearing	<u>October 11, 2007</u>
		Date of Adoption	<u>October 11, 2007</u>

BOROUGH OF FORT LEE
2007-46
ORDINANCE # _____

**AN ORDINANCE AMENDING SALARY ORDINANCE #2006-47
FOR CERTAIN NON-UNION EMPLOYEES, SCHEDULE {C}
FOR 2007-2009**

BE IT ORDAINED by the Mayor and Council of the Borough of Fort Lee that Ordinance #2006-47 is hereby amended as follows:

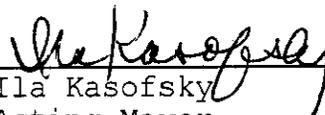
NON-UNION PERSONNEL (Schedule C)

<u>PART-TIME ANNUAL</u>	<u>2007</u> <u>Minimum</u>	<u>2008</u> <u>Minimum</u>	<u>2009</u> <u>Minimum</u>
Mayor	20,061	20,870	21,711
Salary Range	\$20,061 - \$21,711		

SECTION I: This ordinance shall supersede any other salary ordinance for certain Non-Union Personnel.

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

ATTEST:



Ila Kasofsky
Acting Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	<u>M. SUKOLICH</u>	Date of Introduction	<u>September 27, 2007</u>
Seconded	<u>M. VILLANO</u>	Public Hearing	<u>October 11, 2007</u>
		Date of Adoption	<u>October 11, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-47

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF SOLAR PANELS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,550,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Fort Lee, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$1,550,000, including a \$654,300 grant expected to be received from the New Jersey Clean Energy Program. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by the grant stated above.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation receipt of the Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,550,000 pursuant to the Local Bond Law. In anticipation of the issuance

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

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the installation of solar panels at the following locations: (i) Forth Lee Community Center, (ii) Fort Lee Police Department and (iii) Department of Public Works Building #2 including all 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 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 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 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

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

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

authorization of the bonds and notes provided in this bond ordinance by \$1,550,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$310,000 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 purpose or improvement.

Section 7. Any grant moneys received for the purpose 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 ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond

ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. 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

Neil Grant
Borough Clerk

Ila Kasofsky

Ila Kasofsky
Acting Mayor

Introduced	<u>A PENN</u>	Date of Introduction	<u>September 27, 2007</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>October 11, 2007</u>
		Date of Adoption	<u>October 11, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-48

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

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

Section I. (26) Inwood Terrace.

- (a) **Nine-hour** parking meters are hereby authorized to be installed on the west side of Inwood Terrace, from Anderson Avenue to Edsall Boulevard. Parking shall be metered from 8:00 a.m. to midnight, excluding Sundays and holidays.

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 upon passage and publication as provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky
Ila Kasofsky
Acting Mayor

Introduced	<u>M. SOLICLIEN</u>	Date of Introduction	<u>September 27, 2007</u>
Seconded	<u>M. VELLANO</u>	Public Hearing	<u>October 11, 2007</u>
		Postponed to:	<u>October 25, 2007</u>
		Date of Adoption	<u>November 8, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-49

AN ORDINANCE REPEALING AND AMENDING CHAPTER 99-1 THROUGH § 99-11 OF THE CODE OF THE GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY

Section 1: Be It Ordained by the Acting Mayor and Council of the Borough of Fort Lee, Bergen County, New Jersey, ("Borough") that, pursuant to their powers arising under N.J.S.A. 40A:14-118, the position, office, title, powers and duties of Director of Public Safety, as established in §99-1 through §99-11 of the Borough Code are hereby repealed and abolished;

Section 2: Hereafter, the administrative powers of the (now former) Director of Public Safety, as previously set forth in §99-5 of the Borough Code, shall be assumed by the Borough of Fort Lee, Borough Administrator, subject to the overall authority of the Mayor and Council and its designated Police Committee;

Section 3: The duties of the Borough Administrator shall not infringe upon the duties of the Chief of Police as set forth in N.J.S.A. 40A:14-118;

Section 4: Pursuant to N.J.S.A. 40A:14-118, the Mayor and Council of the Borough is hereby designated as the Appropriate Authority for the adoption and promulgation of the rules, regulations, policy, management and government of the Borough's Police Department, except that the Borough Administrator shall be the Appropriate Authority for the limited purpose of police personnel matters relating to the discipline and discharge from employment of the members and officers of the Borough's Police Department;

Section 5: The Mayor and Council shall, from time-to-time, by majority vote, designate the Mayor or one or more members of the Council as members of the Police Committee. The Police Committee shall have general managerial and supervisory direction of the Police Department, subject to ultimate control by the Borough Council. The Police Committee shall act through the Borough Administrator and/or Chief of Police of their designees/subordinates, as appropriate;

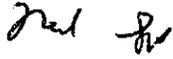
Section 6: All prior provisions of the Borough Code which are inconsistent with this amending and repealing Ordinance are hereby repealed and abolished to the extent of their inconsistency;

Section 7: If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply

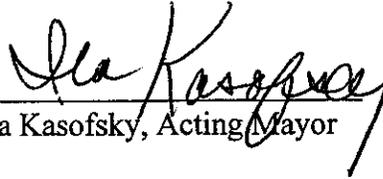
only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

Section 8: This amending and repealing Ordinance shall take effect immediately upon passage and publication in accordance with applicable law.

ATTEST:



Neil Grant
Borough Clerk



Ila Kasofsky, Acting Mayor

Introduced	<u>M. VILLANO</u>	Date of Introduction	<u>October 11, 2007</u>
Seconded	<u>M. SARGWIS</u>	Public Hearing	<u>October 25, 2007</u>
		Date of Adoption	<u>November 8, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-50

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

WHEREAS, the Acting Mayor and Council desires to amend the Police Department Table of Organization,

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

Section I. Chapter 90-2 of the Fort Lee Code, entitled "Police Department - Formation and Rank" be and is hereby amended as follows:

90-2A. The Police Department Table of Organization shall consist of the following positions:

- (1) Police Chief (2) Deputy Chief (0) Inspectors
- (5) Captains (10) Lieutenants (11) Sergeants
- (83) Police Officers

Section II. All other parts, portions or provisions of Chapter 90 of the Fort Lee Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms and provisions of this Ordinance shall be deemed to govern.

Section III. The terms and provisions hereof 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 of this Ordinance.

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

ATTEST:

Neil Grant

Ila Kasofsky
Ila Kasofsky, Acting Mayor

Neil Grant, Borough Clerk

Introduced	<u>J. Cervino</u>	Date of Introduction	<u>November 23, 2007</u>
Seconded	<u>A. Penna</u>	Public Hearing	<u>December 13, 2007</u>
		Postponed to:	<u>December 20, 2007</u>
		Date of Adoption	<u>December 20, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-51

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 ACTING 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:

1. "388-69": Along the east curb line of Edgewood Lane, beginning at a point 289 feet south of the apex of the southeast corner of Edgewood Lane and Dorincourt Road and extending 25 feet south along the same curb line.

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

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

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

ATTEST:

Neil Grant

Ila Kasofsky
 Ila Kasofsky
 Acting Mayor

Neil Grant
 Borough Clerk

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>November 8, 2007</u>
Seconded	<u>A. PENAN</u>	Public Hearing	<u>December 13, 2007</u>
		Postponed to:	<u>December 20, 2007</u>
		Date of Adoption	<u>December 20, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-52

AN ORDINANCE APPROPRIATING \$300,000 RECEIVED AS A GRANT FROM THE STATE OF NEW JERSEY TO PROVIDE FOR THE UPGRADE OF THE CURRENT 9-1-1 TELEPHONE SYSTEM TO THE VERIZON VESPA SYSTEM IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY.

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

Section 1. The Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to provide for the upgrade of the current 9-1-1 telephone system to the Verizon Vespa system, including all work and materials necessary therefor and incidental thereto. For such improvement there is hereby appropriated \$300,000 received as a grant from the State of New Jersey.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

Attest:

Neil Grant

Neil Grant
Borough Clerk

Ila Kasofsky
Ila Kasofsky
Acting Mayor

Introduced	<u>J. CURVILE</u>	Date of Introduction	<u>November 8, 2007</u>
Seconded	<u>A. PUGH</u>	Public Hearing	<u>December 13, 2007</u>
		Postponed to:	<u>December 20, 2007</u>
		Date of Adoption	<u>December 20, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-53

AN ORDINANCE AMENDING SALARY ORDINANCE #2007-6 FOR DEPARTMENT HEADS, BOROUGH ADMINISTRATOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER, TAX COLLECTOR, TAX ASSESSOR, AND CERTAIN NON-UNION EMPLOYEES FOR 2007-2009

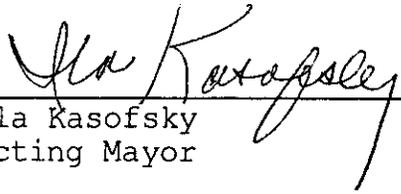
BE IT ORDAINED by the Acting Mayor and Council of the Borough of Fort Lee that Ordinance #2007-6 is hereby amended as follows:

SECTION I: Department Head Personnel Schedules A-1 and A-2 shall be amended to include the title, salary and salary range for the following position for 2007 through 2009.

<u>TITLE</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
		01/01 - 06/30	01/01 - 06/30
Superintendent of Recreation/ Coordinator of Public Events		109,031	113,425
	07/01 - 12/31	07/01 - 12/31	07/01 - 12/31
	105,855	110,121	114,559
	<u>Salary Range</u>		
Superintendent of Recreation/ Coordinator of Public Events	\$65,000 - \$120,000		

SECTION II: This ordinance shall supersede any previous adopted ordinances of the **Department Head Bargaining Unit and Non-Union Personnel** with regard to the aforementioned position and shall take effect immediately upon passage and publication as prescribed by law.

ATTEST:



Ila Kasofsky
Acting Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	<u>J. CURVIA</u>	Date of Introduction	<u>November 8, 2007</u>
		Public Hearing	<u>December 13, 2007</u>
Seconded	<u>A. PENN</u>	Postponed to:	<u>December 20, 2007</u>
		Date of Adoption	<u>December 20, 2007</u>

BOROUGH OF FORT LEE

ORDINANCE # 2007-54

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261, LAND USE ORDINANCE, "APPENDIX B: FEES AND ESCROW FUNDS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

BE IT ORDAINED by the Borough Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, being the governing body thereof, that Chapter 261, "Appendix B: Fees and Escrow Funds" be and is hereby amended and supplemented as follows:

1. Paragraph D is hereby deleted in its entirety and is amended to now read as follows:

D. Application fee schedule.

1. Applications for minor site plans: \$200.00
2. Applications for preliminary major site plans: \$300.00, plus \$5.00 for every 1,000 square feet of proposed new or renovated building floor area.
3. Applications for final major site plans: \$200.00
4. Applications for minor subdivisions: \$100.00, plus \$100.00 per lot
5. Applications for preliminary major subdivisions: \$300.00
6. Applications for final major subdivisions: \$100.00, plus \$50.00 per lot
7. Applications for "c" variance(s):
 - a. Applications relating to properties whose principal use is a single-family home: \$100.00
 - b. All other applications: \$300.00
8. Applications for "d" variance(s):
 - a. Applications relating to properties whose principal use is a single-family home: \$200.00

- b. All other applications: \$400.00
 - 9. Court Reporter Appearance Fees
 - a. Applications involving single family homes: Exempt.
 - b. Applications involving two-family homes: \$100.00 for court reporter appearance fee
 - c. Applications involving signage only: \$100.00 for court reporter appearance fee
 - d. Applications involving minor site plan, preliminary/final major site plan; subdivisions (minor and/or major); telecommunications facilities:\$250.00 deposit.
 - e. Transcripts may be ordered by the applicant and/or the applicant's attorney through the court reporter directly. Payment will be made by the applicant and/or the applicant's attorney directly to the court reporter.
 - 10. Interpretation and/or appeal of Zoning Officer's decision.
 - a. Applications for one and two-family dwellings: \$100.00
 - b. Applications for multiple dwellings: \$200.00
 - c. Applications for commercial property: \$200.00
 - 11. Total application fees for any individual application shall not exceed \$6,000.00.
2. Paragraph E is hereby amended as follows:
- A. A new Paragraph 10 shall read as follows:
 - Planner Deposit
 - a. Applications involving one-family, two-family and three-family dwellings: \$750.00
 - b. Applications involving minor site plan approval: \$750.00
 - B. Current Paragraph 10 shall become new Paragraph 11.
 - C. Current Paragraph 11 shall become new Paragraph 12.
3. All other provisions contained within Chapter 261, "Appendix B: Fees and Escrow Funds" shall remain unchanged and in full force and effect.

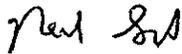
BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such

adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

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

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

ATTEST:



Neil Grant
Borough Clerk

ADOTPED:



Ila Kasofsky
Acting Mayor