

Introduced	<u>J. CURVIERI</u>	Date of Introduction	<u>January 19, 2012</u>
Seconded	<u>L. KASZASKY</u>	Public Hearing	<u>February 9, 2012</u>
		Date of Adoption	<u>February 9, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-1

AN ORDINANCE AMENDING SALARY ORDINANCE #2010-16 PROVIDING SALARIES FOR DEPARTMENT HEADS (SUPERVISOR OF SENIOR CENTER ACTIVITIES)

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

SECTION I: The Supervisor of Senior Citizen Activities shall receive salaries during the period from January 1, 2012 through December 31, 2012, as set forth herein as follows:

DEPARTMENT HEAD UNIT (Schedule A)
JANUARY 1, 2012 - DECEMBER 31, 2012

<u>TITLE</u>	<u>2012</u>	<u>2012</u>
	Jan-Jun	July-Dec
Supervisor of Senior Citizen Activities	67,500	68,175

SALARY RANGE (Schedule A)
JANUARY 1, 2012 - DECEMBER 31, 2012

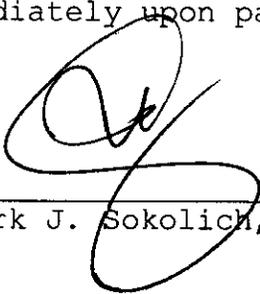
<u>TITLE</u>	<u>2012</u>
Supervisor of Senior Citizen Activities	65,000 to 90,000

SECTION II: This Ordinance shall supercede any other salary ordinance established for the Supervisor of Senior Citizen Activities and shall take effect immediately upon passage and publication.

Attest:

Neil Grant

Neil Grant
Borough Clerk



Mark J. Sokolich, Mayor

Introduced	J. CLAVILLO	Date of Introduction	January 19, 2012
Seconded	A. PENNA	Public Hearing	February 9, 2012
		Date of Adoption	February 9, 2012

BOROUGH OF FORT LEE

ORDINANCE # 2012-2

AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE IV PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT PARKING, SECTION 15 PARKING METER ZONES ESTABLISHED; VIOLATION AND PENALTIES, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 289 Parking, Article IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 15 Parking Meter Zones Established; Violations and Penalties, of the Code of the Borough of Fort Lee, are hereby amended as follows:

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

(3) Center Avenue - West Side

(e) Between Elsmere Place and Mohegan Way:
Three (3) hours

(15) Anderson Avenue - East Side

(c) Between Elsmere Place and Center Avenue:
Three (3) hours

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

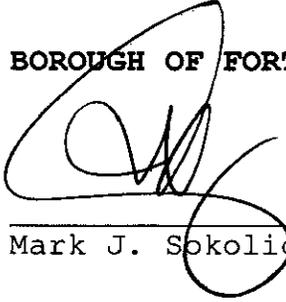
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>A. POKAN</u>	Date of Introduction	<u>January 19, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>February 9, 2012</u>
		Date of Adoption	<u>February 9, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-3

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE ADOPTING AMENDMENTS TO THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 5 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

SECTION I Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on August 4, 2004, the Fort Lee Borough Council ("Borough Council"), adopted a Redevelopment Plan for Redevelopment Area 5 (the "Redevelopment Plan").

SECTION II Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on March 31, 2005, the Borough Council amended the Redevelopment Plan.

SECTION III Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on December 22, 2011, the Borough Council adopted an Amended Redevelopment Plan for Redevelopment Area 5 as expanded (the "Amended Redevelopment Plan").

SECTION III In furtherance of redeveloping Redevelopment Area 5, the Borough Council has prepared further amendments to the Amended Redevelopment Plan, attached hereto and made part of this Ordinance (the "Amendments to the Amended Redevelopment Plan") and which shall be referred to the Fort Lee Planning Board (the "Planning Board") for its consideration pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IV

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

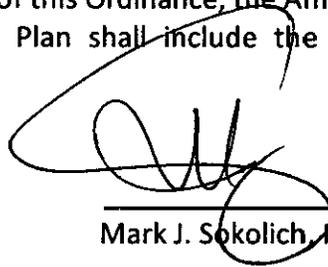
SECTION V

Upon receipt of the Planning Board's recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council shall act upon this Ordinance adopting the Amendments to the Amended Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION VI

Upon adoption of this Ordinance, the Amendments to the Amended Redevelopment Plan shall include the date of adoption of this Ordinance.

Attest:



Mark J. Sokolich, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	J. CERVINI	Date of Introduction	February 9, 2012
Seconded	N. SENNETT	Public Hearing	March 8, 2012
		Date of Adoption	March 8, 2012

BOROUGH OF FORT LEE

2012-4

ORDINANCE # _____

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 56 SCHEDULE XII TAXI STANDS, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V Schedules, Section 56 Schedule XII Taxi Stands, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-56 Schedule XII Taxi Stands is hereby replaced with the following providing for the designation of locations to serve as taxi stands:

1. Bridge Plaza North (formerly Cross Street)
 South side, beginning at the apex of Bridge Plaza North and Lemoine Avenue, continuing 154 feet west to the beginning of the taxi stand, then progressing 166 feet to the end of the taxi stand.

a. The taxi stand created herein provides sufficient space for the parking of eight (8) vehicles; one (1) per each license issued by the Borough of Fort Lee.

2. Lemoine Avenue (South of Bridge Plaza South)
 Easterly side of Lemoine Avenue, starting at the apex of Bridge Plaza South and Lemoine Avenue south of the curb face and continuing 138 feet to the beginning of the taxi stand and then progressing 138 feet to the end of the taxi stand.

a. The taxi stand created herein provides sufficient space for the parking of six (6) vehicles; one (1) per each license issued by the Borough of Fort Lee.

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

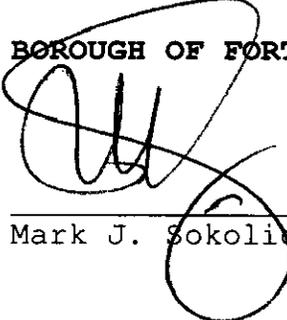
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J. CARVILLE</u>	Date of Introduction	<u>March 1, 2012</u>
Seconded	<u>A. SCHMIDT</u>	Public Hearing	<u>March 15, 2012</u>
		Date of Adoption	<u>March 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-5

REFUNDING BOND ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL OBLIGATION BONDS, SERIES 2005 OF THE BOROUGH, APPROPRIATING \$10,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE BOROUGH OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$10,500,000 FOR FINANCING 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 Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to advance refund all or a portion of the \$8,990,000 outstanding principal amount of its General Obligation Bonds, Series 2005, dated July 15, 2005, originally issued in the aggregate principal amount of \$16,115,000, which outstanding principal amount matures on July 15 in each of the years 2015 through 2020, inclusive (the "Refunded Bonds"), and which are subject to redemption on or after July 15, 2014 at the option of the Borough at a redemption price of 100% of the principal amount of the Refunded Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$10,500,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

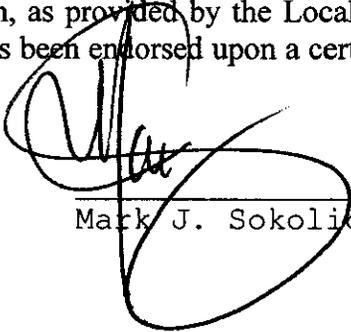
Section 4. The Borough desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. 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 is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$10,500,000, and that an amount representing the principal amount of the Refunded Bonds equal to \$8,990,000 will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Attest:



Mark J. Sokolich, Mayor

Neil Grant

Neil Grant
Borough Clerk

Introduced	<u>J. GUBALING</u>	Date of Introduction	<u>March 8, 2012</u>
		Public Hearing	<u>April 19, 2012</u>
Seconded	<u>H. SONMBA</u>	Date of Adoption	<u>April 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-6

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

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

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

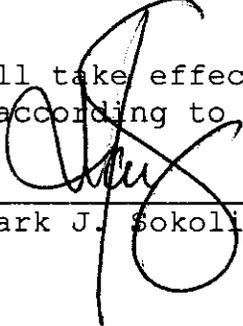
1. "388-69": To Include Four (4) Handicapped Parking Spaces at 1325 Inwood Terrace at the Northwest Corner of the Municipal Lot Adjacent to Edsall Boulevard

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:



 Mark J. Sokolich, Mayor



 Neil Grant, Borough Clerk

Introduced	<u>N. SONNEN</u>	Date of Introduction	<u>March 8, 2012</u>
Seconded	<u>A. PUNAY</u>	Public Hearing	<u>April 19, 2012</u>
		Date of Adoption	<u>April 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-7

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF VARIOUS HANDICAP ACCESSIBLE RAMPS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$213,750 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 \$225,000, including two grants expected to be received from the Bergen County Community Development Block Grant in the amounts of \$200,000 (the "CDBG Grants"), including the sum of \$11,250 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of and not otherwise covered by the CDBG Grants referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$213,750 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 installation of various handicap accessible ramps town-wide, 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 \$213,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$11,000 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. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a)

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

Section 8. Any grant moneys received for the 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 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

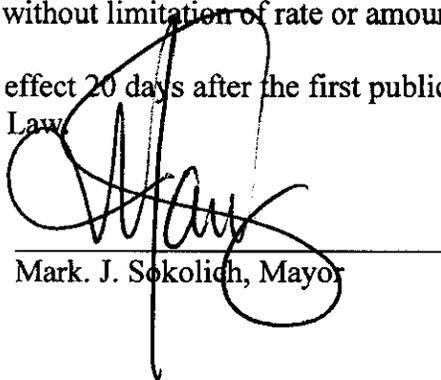
Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy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

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

Attest:



Neil Grant, Borough Clerk



Mark. J. Sokolich, Mayor

Introduced	<u>J. COLOMBO</u>	Date of Introduction	<u>March 8, 2012</u>
		Public Hearing	<u>April 19, 2012</u>
Seconded	<u>H. SUMNER</u>	Date of Adoption	<u>April 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-8

CALENDAR YEAR 2012

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

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 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:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Fort Lee in the County of Bergen finds it advisable and necessary to increase its CY 2011 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 \$514,687.27 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, in the County of Bergen, a majority of

the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Fort Lee shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.50%, amounting to \$1,801,405.45, and that the CY 2012 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,

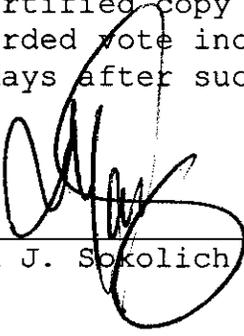
BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

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

Attest:

Neil Grant

Neil Grant
Borough Clerk



Mark J. Sokolich Mayor

Introduced	J. CRIVELLI	Date of Introduction	April 19, 2012
Seconded	H. SPINER	Public Hearing	May 10, 2012
		Date of Adoption	May 10, 2012

BOROUGH OF FORT LEE

ORDINANCE # 2012-9

AN ORDINANCE AMENDING CHAPTER 216 FIRE PREVENTION, ARTICLE X ADOPTION OF UNIFORM FIRE SAFETY ACT, SECTION 72 ADDITIONAL REGISTRATION 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 216 Fire Prevention, Article X Adoption of Uniform Fire Safety Act, Section 72 Additional Registration Fees, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 216-72 Additional Registration Fees, is hereby amended and replaced with the following:

In addition to the annual Life Hazard registration fees required pursuant to the Act and the regulations of the Department of Community Affairs, Division Of Fire Safety, the following additional annual Non-Life Hazard Registration Fees shall be required.

A. Assembly Use

All assembly use not defined as a Life Hazard with the New Jersey Division of Fire Safety \$100.00

B. Business/Professional/Retail/Mercantile

B-1 Under 5,000 square feet \$100.00
 B-2 Over 5,000 square feet \$250.00

C. Manufacturing/Factory \$500.00

D. Storage \$500.00

E. Residential

R-1 One and Two Family Non Owner Occupied dwelling and or condominium, and Single Unit Condominium located in a multiple dwelling where condominium association is not responsible for fire code maintenance or violations inside unit. \$100.00

R-2 Three family and above \$100.00
Plus \$10.00 per unit

F. All non-life hazard use groups shall be inspected every two years.

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

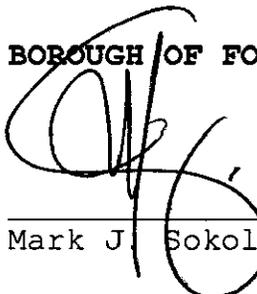
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J. CERVELLA</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>N. SONMYR</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE# 2012-10

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

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

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

"388-69": From the apex of William Street and Jane Street extending south along the east curb line of William Street twenty five (25) feet and extending another twenty (20) feet

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

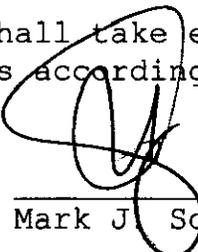
Section III: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



 Mark J. Sokolich, Mayor

Introduced	<u>J. CURVIERI</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>H. SORALLO</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-11

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
Jane Street	North	From John Street to a point 157 feet and westerly therefrom then from 256 feet continuing for 40 feet and then from 398 feet to its terminus
	South	From John Street West to a Point 157 Feet and then from 398 feet to its terminus

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.

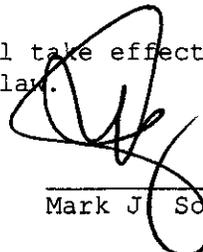
Section III. The terms of this ordinance are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



Mark J. Sokolich, Mayor

Introduced	<u>A. PCHAN</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-12

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE ACQUISITION BY NEGOTIATED PURCHASE OR EMINENT DOMAIN OF PROPERTY IDENTIFIED AS BLOCK 4851, LOT 4, ALSO KNOWN AS 179 MAIN STREET, FORT LEE, NEW JERSEY FOR THE PURPOSE OF ESTABLISHING A NEW PUBLIC STREET.

WHEREAS, pursuant to N.J.S.A. 40:67-1, the Borough of Fort Lee is authorized to adopt an Ordinance for the establishment of a public street to improve access, circulation and support adjacent development; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough of Fort Lee is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Borough of Fort Lee has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of the power of eminent domain; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee have determined that it is in the public interest to acquire a fee simple interest in a 0.1315 acre property in Fort Lee, approximately 28 feet in width by 201 feet in length, located at 179 Main Street, in Fort Lee, New Jersey, legally identified as Block 4851, Lot 4 on the Tax Map for the Borough of Fort Lee (the "Property"), for the purpose of establishing a new public street to improve access, circulation and support adjacent development;

WHEREAS, the Borough of Fort Lee has determined that just compensation for a fee simple interest in the Property is One Million Eight Hundred and Fifty Thousand dollars (\$1,850,000) pursuant to an appraisal dated February 28, 2012, prepared by Mark W. Sussman, of Lasser Sussman, LLC, 220 South Orange Avenue,

Livingston, New Jersey 07039-5817, a state certified and qualified appraiser.

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

SECTION I:

The Borough determines that it is in the public interest and for a public purpose and use to establish a public street, as set forth above, to acquire a fee simple interest in property identified as Block 4851, Lot 4, also known as 179 Main Street, Fort Lee, New Jersey.

SECTION II:

The Borough hereby approves the appraisal of the above-described property performed by Lasser Sussman, LLC, dated, which determined the fair market value as of February 10, 2012 was \$1,850,000.

SECTION III:

The Borough authorizes the acquisition of the Property by negotiated purchase or condemnation pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1 et seq.

SECTION IV:

The Office of the Borough Attorney is hereby authorized to proceed with acquisition of the aforesaid property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes

SECTION V:

The Mayor and Borough Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Borough Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the Property to the Borough of Fort Lee, including any documents necessary to acquire the Property by condemnation.

SECTION VI:

If any article, section, subsection, sentence, clause or

phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION VII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

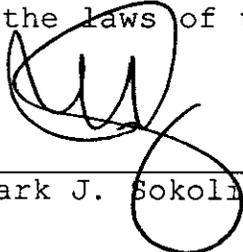
SECTION VIII:

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

Attest:

Neil Grant

Neil Grant
Borough Clerk



Mark J. Sokolich, Mayor

Introduced	<u>A. PUGHAN</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>H. SONALA</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2013</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-13

AN ORDINANCE PROVIDING FOR THE CONVEYANCE TO REDEVELOPER OF PROPERTY DESIGNATED AS BLOCK 4851 LOTS 2 AND 3 IN REDEVELOPMENT AREA 5 IN ACCORDANCE WITH THE REDEVELOPMENT LAW SUBJECT TO PUBLIC ROADWAY EASEMENT DEDICATED TO COUNTY OF BERGEN

WHEREAS, the Borough of Fort Lee (“the Borough”) has designated an area of property, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law"), as an area in need of redevelopment, as “Redevelopment Area 5” or “Area 5;”and

WHEREAS, Redevelopment Area 5 is comprised of Block 4851, Lots 1.01, 1.02, 2, 3 and 4, as shown on the official tax map of the Borough, and has as its northerly border, Bruce Reynolds Boulevard, formerly known as Bridge Plaza South, and its southerly border, Main Street, with the eastern border of the area being Central Road, and the westerly border being Lemoine Avenue; and

WHEREAS, Redevelopment Area 5 was subdivided into the “West Parcel” and the “East Parcel,” bisected by Martha Washington Way; and

WHEREAS, pursuant to the Redevelopment Law, the Borough has designated Fort Lee Redevelopment Associates, LLC, (“FLRA”) redeveloper of the East Parcel and entered into a Redeveloper Agreement, dated February 2, 2012, with FLRA; and

WHEREAS, the East Parcel is comprised of Block 4851, Lots 1.02 (formerly, Block 4802, Lot 1), and Block 4851, Lots 2 and 3; and

WHEREAS, the Borough is the owner of Block 4851, Lots 2 and 3 (referred to in the Redeveloper Agreement as “the Borough Parcels”) as depicted and described on the attached **Exhibit A** which is made a part hereof (Available in the Office of the Borough Clerk); and

WHEREAS, Block 4851, Lots 2 and 3 is subject to a Roadway Easement along its frontage with Main Street, as depicted and described on the attached **Exhibit B** which is made a part hereof (Available in the Office of the Borough Clerk), and which is dedicated herein to the County of Bergen, State of New Jersey; and

WHEREAS, pursuant to the terms of the Redeveloper Agreement, the Borough seeks to formally convey Block 4851, Lots 2 and 3 to FLRA subject to the Roadway Easement; and

WHEREAS, the Redeveloper Agreement provides that the consideration for the Borough's conveyance of Block 4851, Lots 2 and 3 to FLRA shall be: (i) the Redeveloper's agreement to design, permit, construct and operate the Project in accordance with the Redevelopment Area 5 Plan; and (ii) in consideration of prior property grants to the Borough, and; (iii) payment by certain costs incurred by the Borough; and

WHEREAS, pursuant to the Redevelopment Law, at N.J.S.A. 40A:12A-22 a municipality may sell or assign any interest in real property; and

WHEREAS, the Borough Council of the Borough of Fort Lee has determined that it would fulfill a public purpose, including the redevelopment of Area 5, to convey Block 4851, Lots 2 and 3 subject to the Roadway Easement to the County of Bergen in accordance with and subject to the terms of the Redeveloper Agreement,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that Block 4851, Lots 2 and 3 subject to the Roadway Easement is hereby conveyed to FLRA in accordance with and subject to the terms of the Redeveloper Agreement; and

BE IT FURTHER ORDAINED, that the Mayor and Borough Clerk are hereby authorized and directed to execute any documents which may be required to convey Block 4851, Lots 2 and 3 to the County of Bergen and dedicate the Roadway Easement to the County of Bergen; and

BE IT FURTHER ORDAINED, that 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

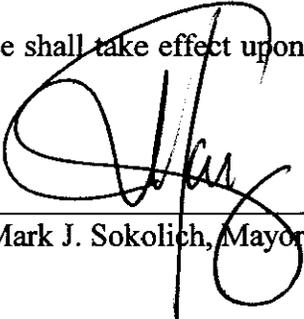
BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Mark J. Sokolich, Mayor



(EXHIBIT A)

**DESCRIPTION OF LOTS 2 AND 3, BLOCK 4851
TO BE TRANSFERRED TO LOT 1.02, BLOCK 4851
Borough of Fort Lee
Bergen County, New Jersey**

BEGINNING at point in the new northerly line of Main Street (being located 33.00 feet northerly, measured at right angles, from a construction baseline as shown on a plan entitled "Construction Plan, Roadway and Traffic Signal Improvements, Main Street and Hudson Terrace"), where the same is intersected by the division line between Lot 1.01 and Lot 3 in Block 4851, said point also being located N 24° 02' 40" E, a distance of 20.04 feet from the intersection of the former northerly line of Main Street (49.50 feet wide) and the southeasterly line of a public roadway easement known as Martha Washington Way, and running thence;

1. Along the said division line between Lot 1.01 and Lot 3, N 24° 02' 40" E, a distance of 124.49 feet to a point, thence;
2. Along division line between Lot 1.02 and Lots 2 & 3 in Block 4851, S 65° 20' 37" E, a distance of 116.44 feet to a point, thence;
3. Continuing along the division line between Lot 1.02 and Lot 2 in Block 4851, said line also being the former centerline of Hoyt Avenue, now vacated, S 24° 39' 23" W, a distance of 93.05 feet to a point, thence;
4. Along the aforementioned new northerly line of Main Street, N 80° 36' 59" W, a distance of 119.33 feet to the point or place of BEGINNING.

Containing 12,603 square feet or 0.2893 acre more or less.

BOSWELL McCLAVE ENGINEERING

Frank M. Krupinski
Professional Land Surveyor
N.J. Lic. No. 37197
June 2, 2011
FL-1330

Block 4851
Lot 1.01

Block 4851
Lot 1.02

F'm'ly Block 4802
Lot 1

HOYT AVENUE
(50' Wide)
VACATED BY BOROUGH ORDINANCE NO. 95-27

MARTHA WASHINGTON WAY
Public Roadway Easement
(Width Varies)

REMAINING
PROPERTY AREA =
12,603 S.F./0.2893 AC.

Lot 3
F'm'ly Block 4802
Lot 4

Lot 2
F'm'ly Block 4802
Lot 2

MAIN STREET
BL Per Ref. 2 Thru 4

AREA OF PROPOSED
ROAD DEDICATION =
2,328 S.F./0.0534 AC.

- MAP REFERENCES:
1. MAJOR SUBDIVISION FOR CENTURIA - FORT LEE, FINAL PLAT, BLOCK 4701 LOT 5; BLOCK 4801 LOT 1, 3, 7-11; BLOCK 4802 LOT 1; BLOCK 4803 LOT 1, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 19, 2005 AS MAP NO. 9421.
 2. CONSTRUCTION PLAN, ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, MAIN STREET AND HUDSON TERRACE, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, PREPARED BY SCHOOR DEPALMA, DATED AUGUST 14, 2006.
 3. BERGEN COUNTY, NEW JERSEY, 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, DATED OCTOBER 15, 2005, REVISED NOVEMBER 23, 2005.
 4. BERGEN COUNTY, NEW JERSEY, 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 BY SCHOOR DEPALMA, DATED OCTOBER 15, 2005.

FRANK M. KRUPINSKI
FRANK M. KRUPINSKI
PROFESSIONAL LAND SURVEYOR, N.J. LIC. 246S03718700

BOSWELL McCLAVE ENGINEERING
330 PHILLIPS AVE., SOUTH HACKENSACK, N.J. 07606
N.J. CERTIFICATE OF AUTHORIZATION No. 24GA27958000

SURVEY OF
LOTS 2 & 3 IN BLOCK 4851
BOROUGH OF FORT LEE
BERGEN COUNTY NEW JERSEY

30 20 10 0 30
GRAPHIC SCALE IN FEET

SCALE: 1"=30'
DATE: 5-24-11
FILE: FL-1330
SURVEYED BY: RRR
DRAWN BY: FMK
CHECKED BY: GM

Boswell McClave
ENGINEERING



(EXHIBIT B)

**DESCRIPTION OF A PORTION OF LOTS 2 AND 3, BLOCK 4851
TO BE DEDICATED FOR MAIN STREET
Borough of Fort Lee
Bergen County, New Jersey**

BEGINNING at point in the northerly line of Main Street (49.50 feet wide) where the same is intersected by the division line between Lot 1.01 and Lot 3 in Block 4851, said point also being the intersection of the northerly line of Main Street and the southeasterly line of a public roadway easement known as Martha Washington Way, and running thence;

1. Along the said division line between Lot 1.01 and Lot 3, N 24° 02' 40" E, a distance of 20.04 feet to a point, thence;
2. Along the new northerly line of Main Street (being located 33.00 feet northerly, measured at right angles, from a construction baseline as shown on a plan entitled "Construction Plan, Roadway and Traffic Signal Improvements, Main Street and Hudson Terrace"), S 80° 36' 59" E, a distance of 119.33 feet to a point, thence;
3. Along the division line between Lot 1.02 and Lot 2 in Block 4851, said line also being the former centerline of Hoyt Avenue, now vacated, S 24° 39' 23" W, a distance of 20.39 feet to a point, thence;
4. Along the aforementioned northerly line of Main Street, N 80° 28' 44" W, a distance of 119.03 feet to the point or place of BEGINNING.

Containing 2,328 square feet or 0.0534 acre more or less.

BOSWELL McCLAVE ENGINEERING

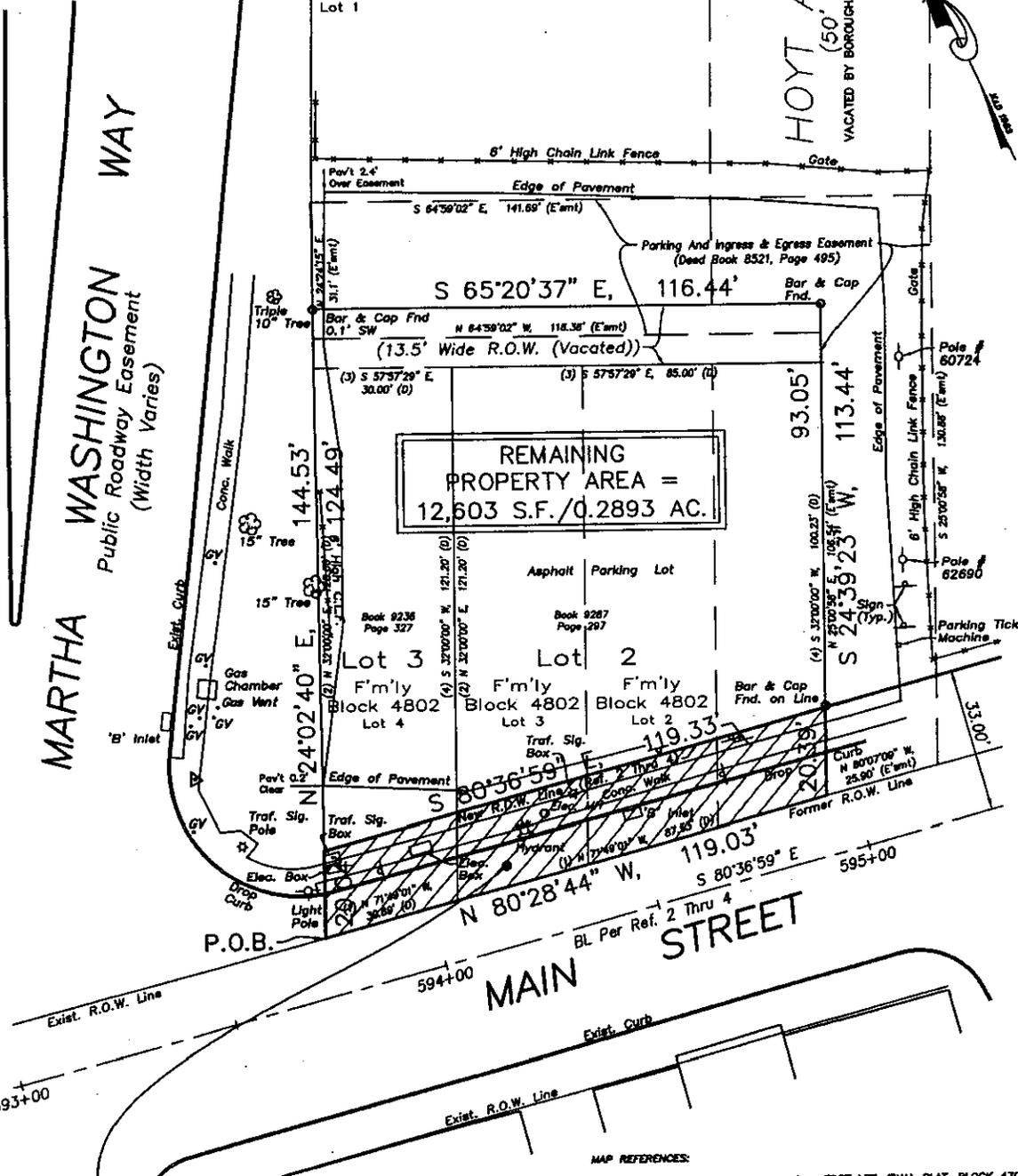
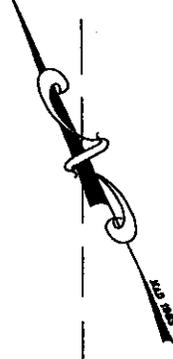
Frank M. Krupinski
Professional Land Surveyor
N.J. Lic. No. 37197
May 24, 2011
FL-1330

Block 4851
Lot 1.01

Block 4851
Lot 1.02

F'm'y Block 4802
Lot 1

HOYT AVENUE
(50' Wide)
VACATED BY BOROUGH ORDINANCE NO. 85-27



REMAINING
PROPERTY AREA =
12,603 S.F./0.2893 AC.

AREA OF PROPOSED
ROAD DEDICATION =
2,328 S.F./0.0534 AC.

- MAP REFERENCES:
1. "MAJOR SUBDIVISION FOR CENTURIA - FORT LEE, FINAL PLAT, BLOCK 4701 LOT 6; BLOCK 4801 LOT 1, 3, 7-11; BLOCK 4802 LOT 1; BLOCK 4803 LOT 1, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY", FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 19, 2005 AS MAP NO. 9421.
 2. "CONSTRUCTION PLAN, ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, MAIN STREET AND HUDSON TERRACE, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY", PREPARED BY SCHOOR DEPALMA, DATED AUGUST 14, 2006.
 3. "BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, N/T KYONG C. KIM, PARCEL 1", PREPARED BY SCHOOR DEPALMA, DATED OCTOBER 15, 2006, REVISED NOVEMBER 23, 2005.
 4. "BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, N/T ALFRED P. & CATHERINE CAMPO, PARCEL 2", PREPARED BY SCHOOR DEPALMA, DATED OCTOBER 15, 2005.

FRANK M. KRUPINSKI
[Signature]
PROFESSIONAL LAND SURVEYOR, N.J. LIC. 24GS03719700

BOSWELL McCLAVE ENGINEERING
330 PHILLIPS AVE., SOUTH HACKENSACK, N.J. 07806
N.J. CERTIFICATE OF AUTHORIZATION No. 24GA27958000

SURVEY OF
LOTS 2 & 3 IN BLOCK 4851
BOROUGH OF FORT LEE
BERGEN COUNTY NEW JERSEY

30 20 10 0 30
GRAPHIC SCALE IN FEET

SCALE: 1"=30'
DATE: 5-24-11
FILE: FL-1330
SURVEYED BY: **FRM**
DRAWN BY: **FMK**
CHECKED BY: **GM**

boswellMcClave
ENGINEERING

Introduced	<u>A. PENAN</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>N. SETHUN</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-14

AN ORDINANCE VACATING PAPER ROADS A, B AND C LOCATED IN THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY

WHEREAS, the Borough of Fort Lee (“the Borough”) has designated an area of property, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law"), as an area in need of redevelopment, as “Redevelopment Area 5” or “Area 5;”and

WHEREAS, Redevelopment Area 5 is comprised of Block 4851, Lots 1.01, 1.02, 2, 3 and 4, as shown on the official tax map of the Borough, and has as its northerly border, Bruce Reynolds Boulevard, formerly known as Bridge Plaza South, and its southerly border, Main Street, with the eastern border of the area being Central Road, and the westerly border being Lemoine Avenue; and

WHEREAS, Redevelopment Area 5 was subdivided into the “West Parcel” and the “East Parcel,” bisected by Martha Washington Way; and

WHEREAS, the East Parcel is comprised of Block 4851, Lots 1.02 (formerly, Block 4802, Lot 1), and Block 4851, Lots 2 and 3 and the portion of Block 4855, Lot 2 and the lands within the street right-of-way to be vacated due to the realignment of Central Road with Federspiel Street; and

WHEREAS, the West Parcel is comprised of Block 4851, Lot 1.01 (formerly Block 4801, Lot 1), including Martha Washington Way (as dedicated by Deed of Easement to the Borough at Deed Book 8266 Page 524); and

WHEREAS, pursuant to the Redevelopment Law, the Borough has designated Fort Lee Redevelopment Associates, LLC, (“FLRA”) redeveloper of the East Parcel and designated TDC Fort Lee, LLC and Tucker Development and Acquisition Fund, LP (“Tucker”) redeveloper of the West Parcel; and

WHEREAS, Roads A, B and C are unimproved, paper streets located in Redevelopment Area 5, and were proposed for dedication to the Borough as part of a major subdivision creating then Block 4802, Lot 1 and then Block 4801, Lot 1, approved on September 26, 2005 as described and set forth on Map 9421 filed October 19, 2005 and entitled “Major Subdivision for Centuria – Fort Lee Final Plat;” and

WHEREAS, the Borough seeks to vacate Roads A, B and C; and

WHEREAS, N.J.S.A. 40:67-1(b) authorizes the governing body of every municipality to adopt an ordinance to vacate any public street or any part thereof; and

WHEREAS, pursuant to N.J.S.A. 40:67-19, a municipality may vacate a public street where there has been a dedication of lands as a public street and same has not been accepted by the municipality and it shall appear to the governing body of the municipality that the public interest will be better served by releasing those lands or a part thereof from such dedication and the lands or part thereof released from the dedication shall be effectively discharged therefrom as though the dedication had not taken place; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance; and

WHEREAS, pursuant to N.J.S.A. 40:67-21, whenever any street is vacated, the municipal clerk must record a copy of the ordinance, within sixty (60) days of its effective date, in the County Book entitled "Vacations"; and

WHEREAS, the Borough Council of the Borough of Fort Lee has determined that it would fulfill a public purpose to vacate paper Roads A, B and C, including to facilitate the public purpose to be served by the redevelopment of Are a 5, and since paper Roads A, B and C are not needed nor used as a public street,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that A, B and C, as more fully described and set forth on Map 9421 filed October 19, 2005 and entitled "Major Subdivision for Centuria – Fort Lee Final Plat," be and are hereby vacated; and

BE IT FURTHER ORDAINED, that the Borough of Fort Lee, pursuant to the provisions of N.J.S.A. 40:67-1(b), hereby expressly reserves and excepts from vacation all rights and privileges, if any, currently possessed by public utilities (as defined in N.J.S.A. 48:2-13) and by any cable television company (as defined in the Cable Television Act, N.J.S.A. 48:5-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated; and

BE IT FURTHER ORDAINED, that, pursuant to N.J.S.A. 40:49-6, the Borough Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance; and

BE IT FURTHER ORDAINED, that within sixty (60) days after this Ordinance becomes effective, the Borough Clerk shall file a copy thereof, certified by him, under the Seal of the Borough of Fort Lee to be a true copy

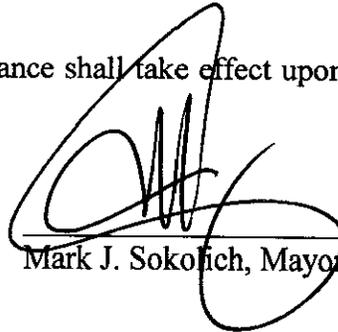
of such Ordinance, together with a proof of publication thereof, in the office of the Bergen County Clerk to be recorded in a book with proper index to be provided for this purpose entitled "vacations", in accordance with the provisions of N.J.S.A. 40:67-21; and

BE IT FURTHER ORDAINED, that 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

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

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

ATTEST:



Mark J. Sokolich, Mayor

Neil Grant

Neil Grant, Borough Clerk

Introduced	<u>A PENN</u>	Date of Introduction	<u>April 19, 2012</u>
Seconded	<u>H SONNER</u>	Public Hearing	<u>May 10, 2012</u>
		Date of Adoption	<u>May 10, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-15

AN ORDINANCE VACATING A PORTION OF FORMER CENTRAL ROAD LOCATED IN THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY AND CONVEYING SUCH VACATED LAND, TOGETHER WITH REMAINDER, TO ADJACENT PROPERTY OWNER

WHEREAS, the Borough of Fort Lee (“the Borough”) has designated an area of property, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law"), as an area in need of redevelopment, as “Redevelopment Area 5” or “Area 5;”and

WHEREAS, Redevelopment Area 5 is comprised of Block 4851, Lots 1.01, 1.02, 2, 3 and 4, as shown on the official tax map of the Borough, and has as its northerly border, Bruce Reynolds Boulevard, formerly known as Bridge Plaza South, and its southerly border, Main Street, with the eastern border of the area being Central Road, and the westerly border being Lemoine Avenue; and

WHEREAS, Redevelopment Area 5 was subdivided into the “West Parcel” and the “East Parcel,” bisected by Martha Washington Way; and

WHEREAS, pursuant to the Redevelopment Law, the Borough has designated Fort Lee Redevelopment Associates, LLC, (“FLRA”) redeveloper of the East Parcel and entered into a Redeveloper Agreement, dated February 2, 2012, with FLRA; and

WHEREAS, the East Parcel is comprised of Block 4851, Lots 1.02 (formerly, Block 4802, Lot 1), and Block 4851, Lots 2 and 3; and

WHEREAS, the East Parcel is also to be comprised of an area which was previously the location of a part of Central Road, to be vacated by this Ordinance, referred to as “Former Central Road,” and depicted and described in the attached **Exhibit A** which is made a part hereof, (Available in the Office of the Borough Clerk) and a remaining portion of Block 4855, Lot 2, referred to as “the Remainder,” depicted and described in the attached **Exhibit B** which is made a part hereof, (Available in the Office of the Borough Clerk) owned by the Borough, and located at the northwest corner of Main Street and Central Road, created through the realignment eastward of Central Road to align with Federspiel Street; and

WHEREAS, the Borough seeks to formally vacate Former Central Road and convey it and the Remainder

to FLRA in accordance with the terms of the Redevelopment Agreement for the redevelopment of Area 5; and.

WHEREAS, N.J.S.A. 40:67-1(b) authorizes the governing body of every municipality to adopt an ordinance to vacate any public street or any part thereof; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the governing body of every municipality to adopt an ordinance to convey real property to a contiguous owner, provided the property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, pursuant to N.J.S.A. 40:67-19, a municipality may vacate a public street where there has been a dedication of lands as a public street and same has not been accepted by the municipality and it shall appear to the governing body of the municipality that the public interest will be better served by releasing those lands or a part thereof from such dedication and the lands or part thereof released from the dedication shall be effectively discharged therefrom as though the dedication had not taken place; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance; and

WHEREAS, pursuant to N.J.S.A. 40:67-21, whenever any street is vacated, the municipal clerk must record a copy of the ordinance, within sixty (60) days of its effective date, in the County Book entitled "Vacations"; and

WHEREAS, pursuant to the Redevelopment Law, at N.J.S.A. 40A:12A-22 a municipality may sell or assign any interest in real property; and

WHEREAS, the Borough Council of the Borough of Fort Lee has determined that it would fulfill a public purpose to vacate Former Central Road, including to facilitate the public purpose to be served by the redevelopment of Area 5, and since Former Central Road is not needed nor used as a public street,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that Former Central Road depicted and described in the attached **Exhibit A** is hereby vacated; and

BE IT FURTHER ORDAINED, that the Borough of Fort Lee, pursuant to the provisions of N.J.S.A. 40:67-1(b), hereby expressly reserves and excepts from vacation all rights and privileges, if any, currently possessed by public utilities (as defined in N.J.S.A. 48:2-13) and by any cable television company (as defined in the Cable Television Act, N.J.S.A. 48:5-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated; and

BE IT FURTHER ORDAINED, that, pursuant to N.J.S.A. 40:49-6, the Borough Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance; and

BE IT FURTHER ORDAINED, that within sixty (60) days after this Ordinance becomes effective, the Borough Clerk shall file a copy thereof, certified by him, under the Seal of the Borough of Fort Lee to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Bergen County Clerk to be recorded in a book with proper index to be provided for this purpose entitled "vacations", in accordance with the provisions of N.J.S.A. 40:67-21; and

BE IT FURTHER ORDAINED, that Former Central Road, and depicted and described in the attached **Exhibit A**, and a remaining portion of Block 4855, Lot 2, referred to as "the Remainder," depicted and described in the attached **Exhibit B**, owned by the Borough, and located at the northwest corner of Main Street and Central Road, created through the realignment eastward of Central Road to align with Federspiel Street, is hereby conveyed to FLRA in consideration of the payment of One Dollar (\$1.00) and as set forth in the Redevelopment Agreement; and

BE IT FURTHER ORDAINED, that the Mayor and Borough Clerk are hereby authorized and directed to execute any documents which may be required to convey the aforesaid vacated lands; and

BE IT FURTHER ORDAINED, that 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

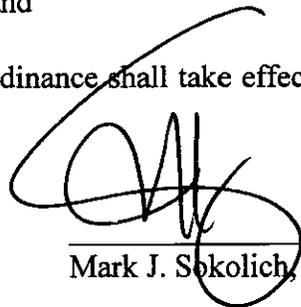
BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



Mark J. Sokolich, Mayor



EXHIBIT (A)

**DESCRIPTION FOR
A PORTION OF CENTRAL ROAD TO BE VACATED
Borough of Fort Lee
Bergen County, New Jersey**

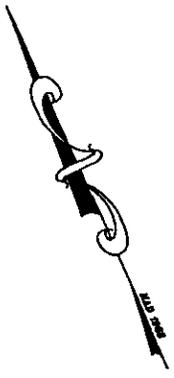
BEGINNING at a point in the northwesterly line of Central Road (50.00 feet wide), said point being located N 23° 25' 48" E, a distance of 17.48 feet from the intersection of the said northwesterly line of Central Road and the northerly line of Main Street (49.50 feet wide), and running thence;

1. Along the said northwesterly line of Central Road, N 23° 25' 48" E, a distance of 259.86 feet to a point, thence;
2. Along the new westerly line of Central Road, S 22° 01' 42" W, a distance of 21.26 feet to a point of curvature, thence;
3. Continuing along the same, on a curve to the left having a radius of 190.00 feet and a central angle of 34° 34' 08", an arc distance of 114.63 feet to a point of tangency, thence;
4. Still along the same, S 12° 32' 26" E, a distance of 22.66 feet to a point, thence;
5. Along the southeasterly line of Central Road, S 23° 25' 48" W, a distance of 99.17 feet to a point, thence;
6. Along the new northerly line of Main Street (being located 33.00 feet northerly, measured at right angles, from a construction baseline as shown on a plan entitled "Construction Plan, Roadway and Traffic Signal Improvements, Main Street and Hudson Terrace"), on a curve to the right having a radius of 487.00 feet and a central angle of 0° 05' 41" (having a chord of N 82° 25' 15" W , 0.80 feet), an arc distance of 0.80 feet to a point of tangency, thence;
7. Continuing along the same, N 82° 22' 25" W, a distance of 51.16 feet to the point of **BEGINNING**.

Containing 7,454 square feet or 0.1711 acre more or less.

BOSWELL McCLAVE ENGINEERING

Frank M. Krupinski
Professional Land Surveyor
N.J. Lic. No. 37197
May 13, 2011
FL-1330



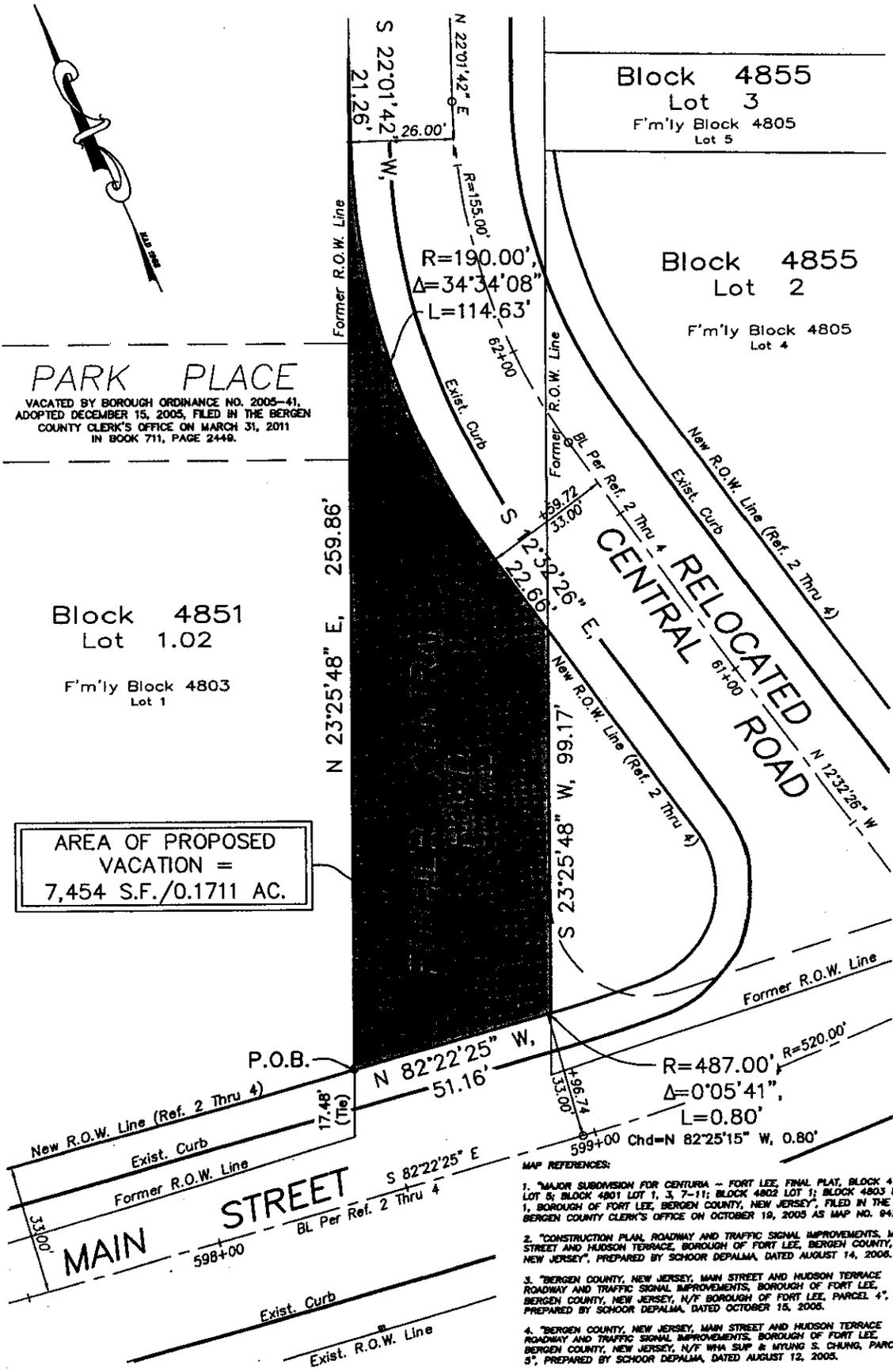
Block 4855
Lot 3
F'm'ly Block 4805
Lot 5

Block 4855
Lot 2
F'm'ly Block 4805
Lot 4

PARK PLACE
VACATED BY BOROUGH ORDINANCE NO. 2005-41,
ADOPTED DECEMBER 15, 2005, FILED IN THE BERGEN
COUNTY CLERK'S OFFICE ON MARCH 31, 2011
IN BOOK 711, PAGE 2448.

Block 4851
Lot 1.02
F'm'ly Block 4803
Lot 1

AREA OF PROPOSED
VACATION =
7,454 S.F./0.1711 AC.



- MAP REFERENCES:
1. "MAJOR SUBDIVISION FOR CENTURIA - FORT LEE, FINAL PLAN, BLOCK 4701 LOT 5; BLOCK 4801 LOT 1, 3, 7-11; BLOCK 4802 LOT 1; BLOCK 4803 LOT 1, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 19, 2005 AS MAP NO. 0421.
 2. "CONSTRUCTION PLAN, ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, MAIN STREET AND HUDSON TERRACE, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY", PREPARED BY SCHOOR DEPALMA, DATED AUGUST 14, 2008.
 3. "BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, N/F BOROUGH OF FORT LEE, PARCEL 4", PREPARED BY SCHOOR DEPALMA, DATED OCTOBER 15, 2008.
 4. "BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, N/F WPA SUP & MYUNG S. CHUNG, PARCEL 5", PREPARED BY SCHOOR DEPALMA, DATED AUGUST 12, 2005.

FRANK M. KRUPINSKI
[Signature]
PROFESSIONAL LAND SURVEYOR, N.J. LIC. 246S03719700

BOSWELL McCLAVE ENGINEERING
330 PHILLIPS AVE., SOUTH HACKENSACK, N.J. 07606
N.J. CERTIFICATE OF AUTHORIZATION No. 246A27958000

MAP SHOWING PROPOSED VACATION OF
CENTRAL ROAD
BOROUGH OF FORT LEE
BERGEN COUNTY NEW JERSEY

30 20 10 0 30
GRAPHIC SCALE IN FEET

SCALE: 1"=30'
DATE: 5-13-11
FILE: FL-1330
SURVEYED BY: FRB
DRAWN BY: FMK
CHECKED BY: GM

Boswell McClave
ENGINEERING



EXHIBIT (B)
DESCRIPTION OF PROPERTY IN LOT 2, BLOCK 4855
TO BE TRANSFERRED TO LOT 1.02, BLOCK 4851
Borough of Fort Lee
Bergen County, New Jersey

BEGINNING at a point in the southeasterly line of Central Road (50.00 feet wide), said point being located N 23° 25' 48" E, a distance of 16.02 feet from the intersection of the said southeasterly line of Central Road and the northerly line of Main Street (49.50 feet wide), and running thence;

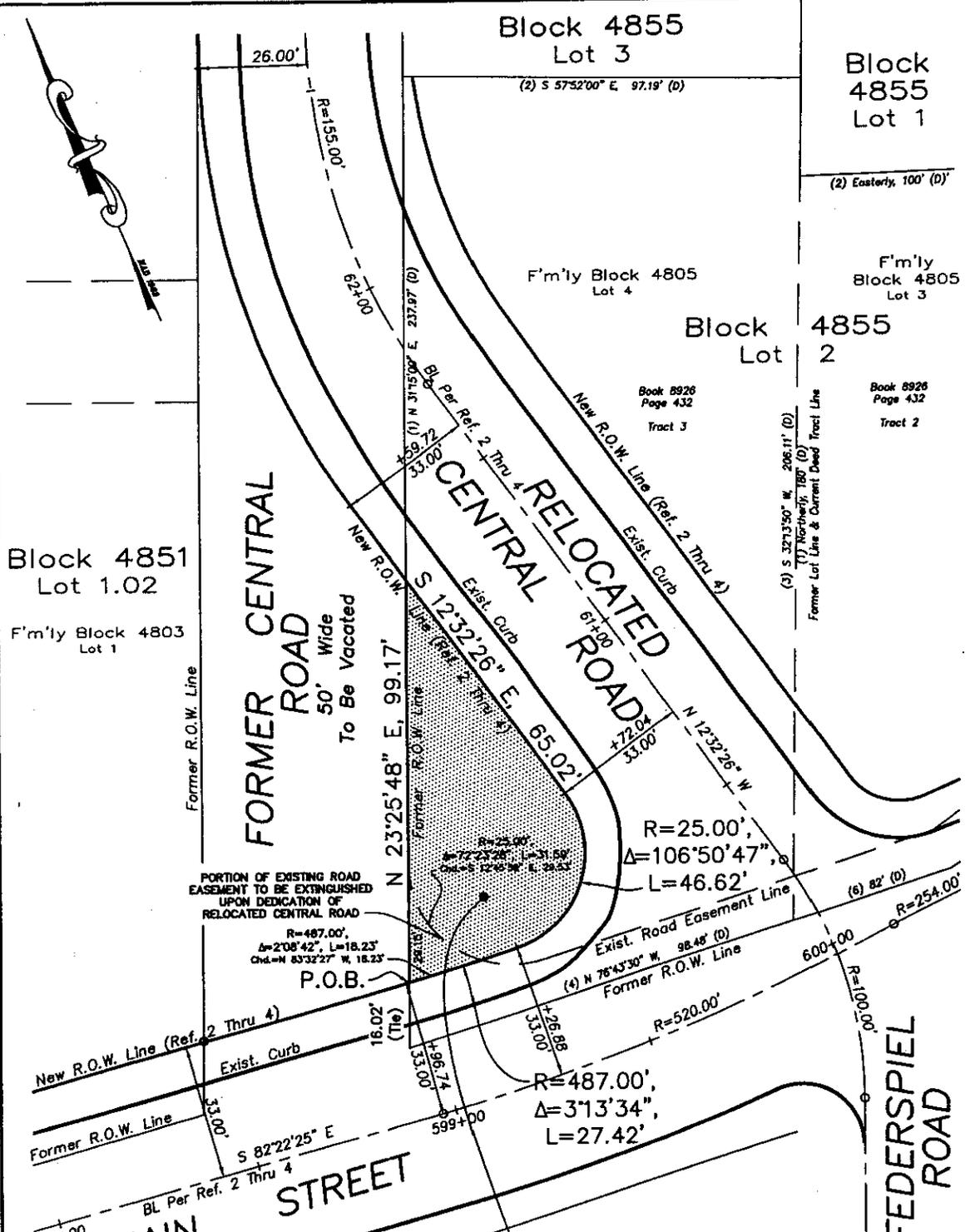
1. Along the said southeasterly line of Central Road, N 23° 25' 48" E, a distance of 99.17 feet to a point, thence;
2. Along the new westerly line of Central Road (being located 33.00 feet westerly, measured at right angles, from a construction baseline as shown on a plan entitled "Construction Plan, Roadway and Traffic Signal Improvements, Main Street and Hudson Terrace"), S 12° 32' 26" E, a distance of 65.02 feet to a point of curvature, thence;
3. Continuing along the same, on a curve to the right having a radius of 25.00 feet and a central angle of 106° 50' 47", an arc distance of 46.62 feet to a point of compound curvature, thence;
4. Along the new northerly line of Main Street (being located 33.00 feet northerly, measured at right angles, from a construction baseline as shown on a plan entitled "Construction Plan, Roadway and Traffic Signal Improvements, Main Street and Hudson Terrace"), on a curve to the right having a radius of 487.00 feet and a central angle of 3° 13' 34", an arc distance of 27.42 feet to the point of BEGINNING.

Containing 2,632 square feet or 0.0604 acre more or less.

The portion of an existing road easement as recorded in the Bergen County Clerk's Office on March 25, 1997 in Deed Book 8926, Page 441 lying within the above described premises is to be extinguished after the relocated Central Road has been dedicated.

BOSWELL McCLAVE ENGINEERING

Frank M. Krupinski
Professional Land Surveyor
N.J. Lic. No. 37197
May 13, 2011
FL-1330



MAP REFERENCES:

1. MAJOR SUBDIVISION FOR CENTURIA - FORT LEE, FINAL PLAT, BLOCK 4703 LOT 5; BLOCK 4801 LOT 1, 3, 7-11; BLOCK 4802 LOT 1; BLOCK 4803 LOT 1, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 18, 2005 AS MAP NO. 0421.
2. CONSTRUCTION PLAN, ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, MAIN STREET AND HUDSON TERRACE, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, PREPARED BY SCHOOR DEPALMA, DATED AUGUST 14, 2008.
3. BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, M/F BOROUGH OF FORT LEE, PARCEL 4*, PREPARED BY SCHOOR DEPALMA, DATED OCTOBER 15, 2005.
4. BERGEN COUNTY, NEW JERSEY, MAIN STREET AND HUDSON TERRACE ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS, BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY, M/F WHA SUP & MYUNG S. CHUNG, PARCEL 5*, PREPARED BY SCHOOR DEPALMA, DATED AUGUST 12, 2005.

AREA OF PROPERTY
TO BE TRANSFERRED TO
LOT 1.02, BLOCK 4851
2,632 S.F./0.0604 AC.

FRANK M. KRUPINSKI

 PROFESSIONAL LAND SURVEYOR, N.J. LIC. 240S03718700

BOSWELL McCLAVE ENGINEERING
 330 PHILLIPS AVE., SOUTH HACKENSACK, N.J. 07806
 N.J. CERTIFICATE OF AUTHORIZATION No. 24GA27958000

MAP OF PROPOSED PROPERTY TRANSFER
PART OF LOT 2 - BLOCK 4855
 BOROUGH OF FORT LEE
 BERGEN COUNTY NEW JERSEY

30 20 10 0 30
 GRAPHIC SCALE IN FEET

SCALE: 1"=30'
DATE: 5-19-11
FILE: FL-1330
 SURVEYED BY:
 DRAWN BY:
 CHECKED BY:

Boswell McClave
 ENGINEERING

Tabled: 4/19/12

Introduced _____	Date of Introduction _____
Seconded _____	Public Hearing _____
	Date of Adoption _____

BOROUGH OF FORT LEE

ORDINANCE # 2012-16

AN ORDINANCE RENAMING A STREET 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, that in accordance with N.J.S.A. 40:67-1(k), the street easement now known as Martha Washington Way, located in the Borough of Fort Lee, is hereby renamed as follows:

Section 1. Martha Washington Way shall be known as "Park Place".

Section 2. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

BOROUGH OF FORT LEE

Neil Grant
Borough Clerk

Mark J. Sokolich, Mayor

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>May 10, 2012</u>
Seconded	<u>J. KASOFSKY</u>	Public Hearing	<u>June 14, 2012</u>
		Date of Adoption	<u>June 14, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-17

AN ORDINANCE AMENDING CHAPTER 406 WRECKERS AND TOWING SERVICE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 406, Wreckers and Towing Service, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 406-1 Definitions., shall hereby be amended and to include the following, additional definitions:

"COMMERCIAL PRIVATE PROPERTY - Office, industrial, or retail property with semipublic roads that do not contain living areas and are used for commercial business purposes only."

"CONSENSUAL TOWING - The towing of a motor vehicle when the owner or operator of the motor vehicle has consented to having the towing company tow the motor vehicle."

"NON-CONSENSUAL TOWING - The towing of a motor vehicle without the consent of the owner or operator of the vehicle."

"PRIVATE PROPERTY OWNER - The owner or lessee of private property, or an agent of such owner or lessee, but shall not include a private property towing company acting as an agent of such owner or lessee."

"PRIVATE PROPERTY TOWING - The nonconsensual towing from private property or from a storage facility by a motor vehicle of a consumer's motor vehicle that is parked illegally, parking during a time at which such parking is not permitted, or otherwise parked without authorization, or the immobilization of or preparation for moving or removing of such motor vehicle, for which a service charge is made, either directly or indirectly. This term shall not include the towing of a motor vehicle that has been abandoned on private property in violation of N.J.S.A. 39:4-56.5, provided that the abandoned vehicle is reported to the appropriate law enforcement agency prior to removal and the vehicle is removed in accordance with N.J.S.A. 39:4-56.6."

"RESIDENTIAL PRIVATE PROPERTIES - Properties that are structures used solely for living spaces and have an expectation to privacy."

"TOWING COMPANY - Person offering or performing towing services."

Section 2. That the current text of Paragraph A. of Borough Ordinance 406-2 License and registration required., shall hereby be amended and replaced with the following:

§ 406-2. License and registration required.

A. "No person shall be authorized to operate any wrecker or conduct any wrecker service within the Borough of Fort Lee, whether on the police call list or not, without first obtaining a license in accordance with this chapter."

Section 3. That the current text of Paragraph H. of Borough Ordinance 406-3 Application for license; information required., shall hereby be amended and replaced with the following:

§ 406-3. Application for license; information required.

H. "Whether the wrecker is to be used solely as an accessory use to a gasoline service station."

Section 4. That the current text of Borough Ordinance 406-3 Application for license; information required., shall hereby be amended to include the following:

§ 406-3. Application for license; information required.

I. "Whether the towing company wishes to be included on the police tow list or police road service list."

Section 5. That the current text of Borough Ordinance 406-6 Registration of wrecker operators., shall hereby be amended and replaced with the following:

"Each employee or agent of licensees under this chapter who operates a wrecker within the borough shall be registered with the Borough of Fort Lee Police Department, and such registration shall be the joint obligation of the employee or agent and employer. The registration shall include at least the name and address of the employee or agent; the name of the employer; criminal convictions, if any, of the employee or agent; the length and type of the employee's or agent's experience in the wrecker business and with the employer; and such other information as may be prescribed by the Chief of Police. All registration forms shall be reviewed by the Chief of Police, or his designated representative, who shall determine, within 10 days of its submission, whether a registration should be issued. A registration shall be denied only for just cause, in which event the employee or agent and employer shall be notified forthwith. Within 10 days of such notification, the employee or agent or employer may appeal the decision to the Mayor and Council, which shall hear and decide the appeal within 45 days after the date it was filed with the Borough Clerk."

Section 6. That the current text of Borough Ordinance 406-8 Fee; copies of license., shall hereby be amended and replaced with the following:

§ 406-8. Fee; copies of license.

A. "Each wrecker shall be licensed separately."

B. "The fee for each such license for a wrecker who is listed on the call list under § 406-20 shall be \$250 per year for the first wrecker, and \$50 per year for each

additional wrecker owned by the same licensee and domiciled at the same address."

C. "The fee for each such license for a wrecker who is not listed on the call list under § 406-20 shall be \$100 per year for the first wrecker, and \$50 per year for each additional wrecker owned by the same licensee and domiciled at the same address."

D. "Each such license shall be issued shall be issued in duplicate. One copy of the license shall be kept at all times at the location at which the wrecker is domiciled. Each license shall be valid from the date of its issuance through December 31 of the year of its issuance."

E. "Each employee or agent of licensees registered under this chapter shall pay an annual permit fee of \$10."

Section 7. That the current text of Paragraph B. of Borough Ordinance 406-15 Rates for towing, conveying, repair, service or storage., shall hereby be amended and replaced with the following:

§ 406-15. Rates for towing, conveying, repair, service or storage [Amended 5-25-2000 by Ord. No. 2000-22; 7-24-2008 by Ord. No. 2008-31].

B. "Towing charges: wheel lift or flat bed [amended 6-11-2009 by Ord. No. 2009-23]."

"Type of Vehicle	Charge
Automobiles	\$150"

Section 8. That the current text of Paragraph A. of Borough Ordinance 406-16 Written schedule of rates and charges., shall hereby be amended and replaced with the following:

§ 406-16. Written schedule of rates and charges.

A. "Every owner and operator of a wrecker shall maintain a written schedule of all rates and charges, in compliance with the limitations of § 406-15 hereof, shall conspicuously display the schedule on the wrecker, and shall make such schedule available to any person requesting same at any time."

Section 9. That the current text of Borough Ordinance 406-19 Towing; who may request., shall hereby be amended and replaced with the following:

§ 406-19. Towing; who may request.

A. "No licensee shall perform private property towing services from commercial private property or residential private properties except at the discretion of the Police Department or at the express written request of the owner or lessee of the property or at the express written request of both owner or authorized operator of the vehicle and the owner or lessee of the property."

B. "Only Fort Lee licensed companies shall be permitted to tow vehicles under non-consensual towing conditions. Nothing in this chapter, however, shall preclude any owner or authorized operator of a vehicle from individually contracting with any towing company, providing that Fort Lee based companies shall be licensed pursuant to Section 406-2."

Section 10. That the current text of Borough Ordinance 406-27 Fencing. Shall hereby be amended and replaced with the following:

§ 406-20. Fencing.

"All towing companies shall comply with the provisions of § 410-36G(2), adopted February 9, 1989, which provides as follows:"

Section 11. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

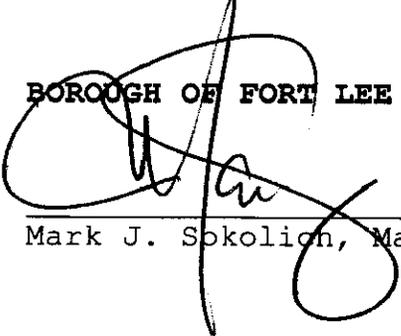
Section 12. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J. CURVIERI</u>	Date of Introduction	<u>June 14, 2012</u>
Seconded	<u>M. SURGENY</u>	Public Hearing	<u>July 19, 2012</u>
		Date of Adoption	<u>July 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-18

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO THE RENEWAL OF A FRANCHISE TO TIME WARNER ENTERTAINMENT COMPANY, L.P., d/b/a TIME WARNER CABLE TO CONTINUE TO CONSTRUCT, OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN AND FOR THE BOROUGH OF FORT LEE, COUNTY OF BERGEN, STATE OF NEW JERSEY

WHEREAS, on or about June 21, 1979, the Borough of Fort Lee (the "Borough") granted its municipal consent for a non-exclusive franchise to Vision Cable Television Company ("Vision Cable"), to own, operate and maintain a cable television system ("System") within the Borough, County of Bergen, State of New Jersey; and

WHEREAS, on or about October 13, 1988, the Borough renewed Vision Cable's Municipal Consent to continue to own, operate and maintain the System in the Borough; and

WHEREAS, on or about March 13, 1995, the New Jersey Board of Public Utilities ("BPU") approved the transfer of the System from Vision Cable to Time Warner Entertainment-Advance/Newhouse Partnership ("TWE-A/N") in an Order in Docket No. CM94110531; and

WHEREAS, on or about January 31, 2001, in Docket No. CM00080556, the BPU approved the transfer of the System from TWE-A/N to TW Fanch-one Co., d/b/a/ Time Warner Cable ("TW Fanch"); and

WHEREAS, on or about December 17, 2009, in Docket No. CM09080719, the BPU approved the internal merger of TW Fanch with, and into, Time Warner Entertainment Company, L.P. ("Time Warner"); and

WHEREAS, in accordance with Ordinance No. 88-44, adopted October 13, 1988, the renewal of Vision Cable's Municipal Consent to continue to own, operate and maintain the System in the Borough was for a term of fifteen (15) years from October 9, 1989 and thereafter, Time Warner was entitled to an automatic renewal for ten (10) years; and

WHEREAS, on or about October 13, 2003, Time Warner advised the Borough of its intent to exercise the automatic renewal of said franchise to which it was entitled; and

WHEREAS, the Borough requested that Time Warner agree to provide to the Borough a grant for use in connection with a studio at Fort Lee High School; and

WHEREAS, Time Warner has agreed to continue to provide access time for non-commercial public, educational and governmental (“PEG”) use on a PEG channel (to be shared with other municipalities in the Time Warner New Jersey system); and

WHEREAS, Time Warner has agreed to pay to the Borough an aggregate amount of seventy-five thousand dollars (\$75,000), payable over the ten years of the franchise term in annual payments of seventy-five (\$7,500); and

WHEREAS, after proper public notice pursuant to the terms of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq., the Borough conducted a public hearing on June 14, 2012 concerning the renewal of the consent herein granted to Time Warner. The hearing was fully open to the public and the Borough received all comments regarding the qualifications of Time Warner to receive an extension of the Borough’s municipal consent; and

WHEREAS, as a result of the public hearing, the Borough has determined that Time Warner possesses the necessary legal, technical, financial and other qualifications to support this renewal of the franchise and that such renewal will be beneficial to the residents of the Borough subject to the terms and conditions set forth herein; and

WHEREAS, due to the long period of time to which this matter had been pending without any formal approval, the Office of Cable Television within the BPU had directed Time Warner to file an automatic renewal petition with the BPU, which petition was filed on or about December 7, 2009, and is currently pending before the BPU;

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

1. **INTRODUCTORY PROVISIONS/PURPOSE OF THE
ORDINANCE/APPLICATION**

The Borough hereby grants to the Company its non-exclusive consent to place in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways, and public places in the Borough poles, wires, cables, underground conduits, manholes and other conductors and fixtures necessary for the maintenance and operation in the Borough of a cable television system.

All of the written commitments contained in the automatic renewal petition filed by the Company with the BPU and any amendments thereto, except as modified herein, are to be considered binding upon the Company as the current terms and conditions of this municipal consent, subject to change in the ordinary course of business. Said automatic renewal petition shall be made a part hereof by reference thereto, subject to the limitations set forth herein and except to the extent that same may conflict with State or federal law.

2. **DEFINITIONS**

For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is

supplemental to those definitions given under federal law, including but not limited to those of the Federal Communications Commission, FCC Rules and Regulations 47 C.F.R. Subsection 76.1 et seq., and the Communications Act of 1934 at 47 U.S.C. §521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq. and shall in no way be construed to broaden, alter or conflict with federal or state definitions:

- (a) "BPU" is the New Jersey Board of Public Utilities.
- (b) "Borough" is the Borough of Fort Lee, County of Bergen, State of New Jersey.
- (c) "OCTV" is the Office of Cable Television within the Board of Public Utilities.
- (d) "Time Warner" or "Company" is the grantee of rights under this ordinance and is known as Time Warner Entertainment Company, L.P.
- (e) "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendment thereto, Section 48:5A-1 et seq.

3. STATEMENT OF FINDINGS

The Borough hereby finds the Company possesses the necessary legal, technical, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

4. DURATION OF FRANCHISE

The consent herein granted shall be for a term of ten (10) years beginning on the date of issuance by the BPU of a Renewal Certificate of Approval based on the terms and conditions of this municipal consent Ordinance.

5. FRANCHISE FEE

Pursuant to the terms and conditions of the Cable Television Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Borough, or such other amount as established under the Act, where applicable.

6. TERRITORY

The consent granted herein to the Company shall apply to the entirety of the Borough and any property hereafter annexed by the Borough by law.

7. EXTENSION OF SERVICE

The primary service area shall consist of all public residential streets within the Borough existing as of the date of this Ordinance and over which Time Warner currently maintains cable plant, as set forth on a map supplied by Time Warner to the Borough with its Application filed with the BPU on or about February 9, 2010 ("Application"). Unserved residential and commercial areas along existing public streets and rights-of-way, as indicated on the map supplied by Time Warner with its Application, and new residential or commercial public streets shall be governed by Time Warner's line extension policy.

8. CONSTRUCTION REQUIREMENTS

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the Company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work.

Relocation: If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough, shall remove, re-lay and relocate its equipment, at the expense of the Company.

Temporary Removal of Cables: The Company shall temporarily move or remove appropriate parts of its facilities to allow for the moving of buildings, and machinery, or in other similar circumstances. The expense shall be borne by the party requesting such action, except when requested by the Borough, in which case the Company shall bear the cost (provided, however, that other users of the rights-of-way in the Borough bear such costs under similar circumstances).

Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

9. LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a local business office (or agent) for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters. Such local business office shall be open during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday.

10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the complaint officer for the Borough, pursuant to N.J.S.A. 48:5A-26(b) and amendments thereto. All complaints shall be received and processed in accordance with N.J.A.C. 14:17- 6.5 and amendments thereto.

11. PERFORMANCE BOND

During the franchise, the Company shall provide a surety bond to the Borough, which bond shall be in the amount of \$25,000.00. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its Application.

12. ACCESS CHANNEL REQUIREMENTS

The Company shall continue to provide access time for non-commercial use to non-commercial public, educational and governmental ("PEG") entities on one PEG channel, such channel to be shared with other municipalities in the Time Warner New Jersey system, as long as such channel is offered to and regularly utilized by a majority of such other municipalities.

13. PAYMENT FOR EQUIPMENT

The Company shall pay to the Borough an aggregate amount of seventy-five thousand dollars (\$75,000), payable over the ten year franchise term in ten annual payments of seven thousand five hundred dollars (\$7,500). The first such payment shall be due within thirty (30) days of the date of issuance by the BPU of a Renewal Certificate of Approval in this matter and the remaining nine (9) payments shall be due on or about the successive nine (9) anniversaries thereof. These payments shall be utilized by the Borough to purchase and maintain equipment for use by students of the Fort Lee School System as part of a multi-media studio to promote students' audio/video skills through the production of PEG programming.

14. RATES

The rates of the Company shall be subject to regulation as appropriate in accordance with federal and state law.

15. LIABILITY INSURANCE

The Company agrees to maintain and keep in full force and effect at its sole expense at all times during the term of this consent, sufficient liability insurance naming the Borough as an insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of \$1,000,000 for bodily injury or death to one person, and \$500,000 for property damage resulting from any one accident.

16. EMERGENCY USES

The Company shall be required to abide by applicable federal requirements regarding the Emergency Alert System (“EAS”). The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the EAS as contemplated herein.

17. FORCE MAJUERE

Notwithstanding any other provisions of this Ordinance, the Company shall not be liable for any delay in the performance of, or failure to perform, in whole or in part, its obligations pursuant to this Ordinance due to strike, unavailability of materials or equipment, war or act of war (whether an actual declaration of war is made or not), insurrection, riot, civil disturbance, sabotage or vandalism, customer tampering or interference, act of public enemy, accident, fire, flood or other events, to the extent that such causes or other events are beyond the control of Company.

18. SEVERABILTY

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

19. MUNICIPAL LIABILITY

The Company shall hold the Municipality harmless for any liability arising out of the Company’s operation and construction of its System.

20. SUBJECT TO LAW

This consent shall be subject to applicable state and federal law.

21. EFFECTIVE DATE

This Borough consent shall become effective as of the date upon which the Borough receives written notification that the Company accepts the terms and conditions herein.

22. NEW REGULATORY REGIME PROVISION

The Company acknowledges that there is a law currently in effect in New Jersey authorizing cable television companies to elect to seek State-issued franchises. The Company has chosen not to do so at this time but rather to seek a municipal ordinance that will be approved by the issuance of a Certificate of Approval by the BPU. Nevertheless, should there be any change in local, state or federal law during the term of the franchise that reduces the regulatory or economic burdens for persons desiring to construct, operate or maintain a cable

system in the Borough, then, at the Company's request, the Borough shall agree with the Company to amend this franchise to similarly reduce the regulatory or economic burdens on the Company. All amendments must have BPU approval to the extent required by applicable law. It is the intent of this section that, at the Company's election, the Company shall be subject to no more burdensome regulation or provided lesser benefits under this franchise than any other persons that might provide cable service in the Borough.

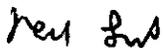
23. LEVEL PLAYING FIELD

Any subsequent grant to another party by the Borough of a cable franchise or other right to provide cable service in the Borough shall include overall equal requirements to those contained in this municipal consent ordinance and, in particular, shall include a requirement equal to that contained in Section 13 hereof. If the Borough grants a franchise to provide cable service to another operator that overall provides greater benefits or imposes lesser burdens than this franchise overall, the Borough agrees to amend this franchise to overall provide such benefits or lesser burdens. All amendments to this franchise must have BPU approval to the extent required by applicable law.

ATTEST:



Joseph Cervieri, Council President



Neil Grant, Borough Clerk

:

Introduced	<u>J. CERVINI</u>	Date of Introduction	<u>June 14, 2012</u>
Seconded	<u>A. PENN</u>	Public Hearing	<u>July 19, 2012</u>
		Date of Adoption	<u>July 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-19

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BRINKERHOFF AVENUE (SECTION 2) IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$180,500 THEREFOR AND AUTHORIZING THE ISSUANCE \$34,000 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(a) 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(a), there is hereby appropriated the sum of \$180,500, including a \$146,500 grant expected to be received from the State of New Jersey Department of Transportation Trust Fund Authority Act (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$34,000 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 for the improvements to Brinkerhoff Avenue (Section 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(a) 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 \$34,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$34,000 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. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

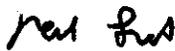
Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied to direct payment of the cost of the improvement.

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

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

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

ATTEST:



Neil Grant, Borough Clerk


Joseph Cervieri, Council President

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>June 14, 2012</u>
Seconded	<u>H. SOMMER</u>	Public Hearing	<u>July 19, 2012</u>
		Date of Adoption	<u>July 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012- 20

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 56 SCHEDULE XII TAXI STANDS, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388, Vehicles and Traffic, Article V Schedules, Section 56 Schedule XII Taxi Stands, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-56 Schedule XII Taxi Stands is hereby amended to provide for the following penalties for parking an excess number of cabs in the taxi stand per license:

Schedule XII Taxi Stands; Violations and Penalties

3. Penalties for Violations

a. Any person, company or corporation violating the provisions of this Section 56 Schedule XII shall, upon conviction thereof, for the first offense pay a fine of \$100; for the second offense shall pay a fine of \$200; and for the third offense and for any additional offense thereafter shall pay a fine of \$300. Any such fine assessed for violation of this Section 56 Schedule XII may be recovered in an action of debt.

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

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

ATTEST:

BOROUGH OF FORT LEE

Neil Grant

Neil Grant
Borough Clerk



Joseph Cervieri
Council President

Introduced	<u>J. CLAVIERI</u>	Date of Introduction	<u>June 14, 2012</u>
Seconded	<u>A. POHAN</u>	Public Hearing	<u>July 19, 2012</u>
		Date of Adoption	<u>July 19, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-21

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 \$2,693,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,558,350 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,693,000, including the aggregate sum of \$134,650 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 \$2,558,350 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p><u>a) Ambulance Corps</u> Acquisition of an ambulance, a power stretcher and power lift devices, including all related costs and expenditures incidental thereto.</p>	\$305,735	\$290,449	15 years
<p><u>b) Emergency Management</u> Acquisition of a generator, portable generators and radio equipment, including all related costs and expenditures incidental thereto.</p>	\$11,494	\$10,919	10 years
<p><u>c) Building Department</u> Acquisition of computers, including all related costs and expenditures incidental thereto.</p>	\$8,620	\$8,189	5 years
<p><u>d) Fire Department</u> Acquisition of Storz Connections for hydrants, rescue tools and garage doors for the Fire house, replacement of generators and installation of fiber optic equipment, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.</p>	\$287,345	\$272,978	15 years

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
<p><u>e) Senior Center</u> Acquisition of a computer system for tracking participation, classes and membership, flat screen televisions with mounts, speakers and an AV Receiver, including all related costs and expenditures incidental thereto.</p>	\$11,494	\$10,919	5 years
<p><u>f) Cultural & Heritage Affairs</u> Replacement of projection equipment in the Community Center, including all related costs and expenditures incidental thereto.</p>	\$57,469	\$54,596	5 years
<p><u>g) Communications Center</u> The acquisition of furniture, including all related costs and expenditures incidental thereto.</p>	\$80,457	\$76,434	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>
<u>h) Police Department</u>			
(i) Upgrades to camera system and video recorders in patrol vehicles and the acquisition of body microphones for police officers and automated license plate recognition devices for patrol vehicles, including all related costs and expenditures incidental thereto.	\$188,401	\$178,981	10 years
(ii) Upgrades to departmental desktop computers and Microsoft Office Professional Licensing and Windows 7 and the acquisition of laptops for patrol vehicles, including all related costs and expenditures incidental thereto.	\$156,414	\$148,593	5 years
<u>i) Public Works & Parks</u>			
(i) The acquisition of generators and upgrades to Westview Park Pool, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$165,568	\$157,290	15 years
(ii) Milling and paving of streets, as well as new storm basins, including work and materials necessary therefor and incidental thereto.	\$299,931	\$284,934	10 years
(iii) The replacement of sewer pick up trucks, including all related costs and expenditures incidental thereto.	\$80,457	\$76,434	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>
<p><u>j) Community Center</u> Improvements to the Community Center, including new design of the staging roof, replacement of lights and outdoor fountain, including all related costs and expenditures incidental thereto.</p>	\$114,938	\$109,191	10 years
<p><u>k) Recreation</u> Acquisition of tables, folding chairs and storing cart, including all related costs and expenditures incidental thereto.</p>	\$5,172	\$4,914	5 years
<p><u>l) Van Fleet Park</u> Re-turf the field including all work and materials necessary therefor and incidental thereto.</p>	\$459,752	\$436,765	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>
<u>m) Administration</u>			
(i) Improvements to municipal buildings and facilities, including all work and materials necessary therefor and incidental thereto.	\$258,611	\$245,680	15 years
(ii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$86,204	\$81,893	5 years
(iii) Acquisition of vehicles, including all related costs and expenditures incidental thereto.	<u>\$114,938</u>	<u>\$109,191</u>	5 years
TOTALS	<u>\$2,693,000</u>	<u>\$2,558,350</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 11.62 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 \$2,558,350, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$350,000 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. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes 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 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough

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

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

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

Attest:

Neil Grant

Neil Grant, Borough Clerk



Joseph Cervieri, Council President

Introduced	<u>M. SARGENTI</u>	Date of Introduction	<u>July 19, 2012</u>
	<u>J. GOLDBERG</u>	Public Hearing	<u>August 23, 2012</u>
Seconded	_____	Date of Adoption	<u>August 23, 2012</u>

BOROUGH OF FORT LEE
2012-22
ORDINANCE # _____

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

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

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

"388-69": From the apex of Riverview Terrace and Hudson Terrace and extending twenty five (25) feet south along the west curb line of Hudson Terrace

From there extending twenty (20) feet south for the first space and then extending another twenty two (22) feet south for the second space.

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.

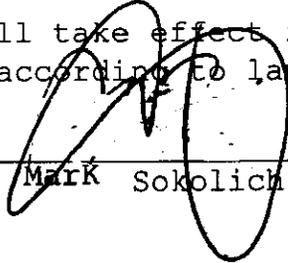
Section III: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



Mark Sokolich, Mayor

Introduced	<u>H. SCHMIDT</u>	Date of Introduction	<u>July 19, 2012</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>August 23, 2012</u>
		Tabled	<u>August 23, 2012</u>
		Date of Adoption	<u></u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-23

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 43 SCHEDULE I NO PARKING, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388 Vehicles and Traffic, Article V Schedules, Section 43 Schedule I No Parking, of the Code of the Borough of Fort Lee, are hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-43, Schedule I No Parking, is hereby amended to add the following:

Section 2. Chapter 388, Section 43, Schedule I, entitled "No Parking," be and the same is hereby amended as follows:

Name of Street	Side:	Location
Crescent Way	West	From its Apex with Bridle Way to its Intersection With Crescent Court

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

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

ATTEST:

BOROUGH OF FORT LEE

Neil Grant
Borough Clerk

Mark J. Sokolich, Mayor

Introduced	<u>H. SOMMER</u>	Date of Introduction	<u>July 19, 2012</u>
Seconded	<u>J. GOLDBRAC</u>	Public Hearing	<u>August 23, 2012</u>
		Date of Adoption	<u>August 23, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-24

AN ORDINANCE AMENDING CHAPTER 90 POLICE DEPARTMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

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

Section 1. That the current text of Borough Ordinance 90-3 Administration; Police Committee., shall hereby be amended and replaced with the following:

§ 90-3. Administration; Police Committee

"Pursuant to the authority contained in N.J.S.A. 40A:14-118, the Borough Administrator of the Borough of Fort Lee is hereby designated as the appropriate authority for the adoption and promulgation of rules regulations for the government of the Police Department. The Mayor, with confirmation by the majority vote of the Council, shall appoint one or more of the Council members as the Police Committee. The Police Committee shall have general supervisory direction of the Police Department subject to the ultimate control by the Borough Council. The Police Committee shall act through the Chief or, in his absence, the Deputy Chief or, in his absence, the ranking officer on duty."

Section 2. 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



Mark J. Sokolich, Mayor

Introduced	<u>N. SONMLO</u>	Date of Introduction	<u>July 19, 2012</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>August 23, 2012</u>
		Date of Adoption	<u>August 23, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-25

AN ORDINANCE AMENDING CHAPTER 372 TAXICABS AND LIMOUSINES, ARTICLE 1, TAXICABS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

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

Section 1. The current text of Borough Ordinance 372-1 Definitions. [Amended 10-27-2005 by Ord. No. 2005-38], shall hereby be amended and replaced with the following:

OPERATION OF A TAXICAB - Consists of transporting in such taxicab one or more persons for hire along any of the streets of this Borough. Accepting a passenger to be transported for hire within this Borough or from a point within this Borough to a point outside of the Borough limits or discharging a passenger transported for hire from a point outside of the Borough limits to a point within the Borough limits shall be deemed to be operation of a taxicab within the meaning thereof. Notwithstanding anything to the contrary contained herein, taxicabs licensed in other jurisdictions may pick up or discharge passengers at a residential or commercial location within the Borough provided that any passenger has made previous arrangement for such a trip. Taxicabs not licensed by the Borough shall be specifically prohibited from picking up fares unless they have been prearranged. The operation of a taxicab in any of the above described manners by one other than the owner shall be deemed operations by the owner thereof as well as by the person actually driving the same. The transportation of any person other than the owner or driver in any motor vehicle bearing sign therein or thereon

using the words "taxi," "taxicab," "cab." Or "hack" shall be prima facie evidence of operation.

Section 2. The current text of Borough Ordinance 372-2 Licensing of taxicabs required. [Amended 10-27-2005 by Ord. No. 2005-38], shall hereby be amended and replaced with the following:

- A. No person shall operate a taxicab from within this Borough unless both the taxicab and the driver thereof shall have first obtained a duly issued driver's license and a duly issued license pursuant to this ordinance and conform to all the provisions thereof.
- B. Any person employed by or contracted by a Fort Lee licensed taxicab company as a taxicab driver must first obtain and keep in force and effect a taxicab driver's license issued pursuant to this article. Any Fort Lee licensed taxicab company who employs unlicensed drivers will be subject to such penalties and/or fines as may be imposed by the Municipal Court.
- C. No taxicab company or person employed by or contracted by a taxicab company shall solicit or serve taxicab service and/or fares in the streets of Fort Lee without the requisite licenses issued by the State of New Jersey and the Borough of Fort Lee.
- D. If any person employed by or contracted by a taxicab company is found to be operating a taxicab without a valid taxicab driver's license and/or taxicab vehicle license within the Borough, both the driver and the taxicab owner may be charged with operating a taxicab without a license and will be subject to such penalties and/or fines as may be imposed by the Municipal Court.
- E. Applicants for a taxicab driver's license shall be made to the Chief of Police upon

forms provided by the Fort Lee Police Department. Applicants shall meet the following qualifications:

- (1) Be over 18 years of age.
 - (2) Be a United States citizen or legal resident with work privileges.
 - (3) Possess a valid New Jersey driver's license.
 - (4) Be in good health.
 - (5) Be of good moral character.
 - (6) Be able to read and write the English language.
 - (7) Be fingerprinted by the Police Department, with a report therein received from the State Police or Federal Bureau of Investigation.
 - (8) Have a good knowledge of the Borough and State traffic laws and regulations.
 - (9) Be investigated by the Chief of Police or a police officer designated by the Chief, which shall be reported to the Mayor and Council within a reasonable time. The report shall include a recommendation that the license be granted or denied and the reasons thereof.
- F. No taxicab license shall be issued to or renewed for a taxicab fleet, taxicab mini fleet or individual taxicab owner unless and until such proof shall have been given to the Director of Public Safety that such taxicab fleet, taxicab mini fleet or individual taxicab owner has adequately provided for the safe

transportation of children up to the age of eight or 80 pounds in weight who are passengers in a taxicab operated by them. In the case of a taxicab fleet or taxicab mini fleet, such proof shall consist of a written policy and posted notice at the place of operation and in all taxicabs, conspicuous to drivers and passengers, setting forth the following policy, said policy to be strictly enforced by the driver and car owner.

- (1) Children up to 18 months of age or younger who are passengers in a taxicab shall be seated in a federally approved child restraint rear-facing seat in the rear seat of the taxicab.
- (2) Children over the age of 18 months but under the age of five must be placed in a federally approved child restraint front-facing car seat if riding in the rear seat of a taxicab.
- (3) Children over the age of five or up to 80 pounds in weight must be placed in a car or booster seat in the rear seat of the licensed vehicle.
- (4) Children under the age of eight who weigh more than 80 pounds in weight must wear a seat and shoulder belt while riding in the licensed vehicle.

G. A taxicab fleet or taxicab mini fleet must at all times keep and maintain in fleet or mini fleet vehicles or at the base of operation a total number of one safety seat for every four fleet vehicles, which shall at all times be available for use by drivers of the taxicabs. In the case of an individual owner, such proof shall consist of proof

that the owner keeps and maintains a federally approved child restraint seat in the passenger compartment or trunk at all times.

H. Filing.

- (1) If the owner is a partnership, it shall file with its license application a certified copy of the partnership certificate form the clerk of the county where the principal place of business is located.
- (2) If the owner is a joint venture, it shall file with its license application a copy of the joint venture agreement.
- (3) If the owner is a corporation, it shall file with its license application a certified copy of its certificate of incorporation. A list of its officers and shareholder and a certified copy of the minutes of the meetings in which they were elected shall also be provided.
- (4) No newly issued and no current licensee with one license individual, partnership, joint venture, family (as previously defined), unity, entity, corporation or any person having a 10% or greater interest in another partnership, joint venture, family (as previously defined), unity, entity, corporation may possess more than one license.
- (5) All other types of owners shall file the approved license application and a written explanation of the nature of the ownership.

I. Any material falsification or omission contained in an original or renewal application for a taxicab license, any failure to notify the Director of Public Safety of any attempt by an owner or applicant to conceal the identity of a party having an interest in the ownership of a taxicab license or taxicab shall be cause for denial of such application and revocation or suspension of such license, in addition to disbarment/licensure for taxi driving for up to three years.

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

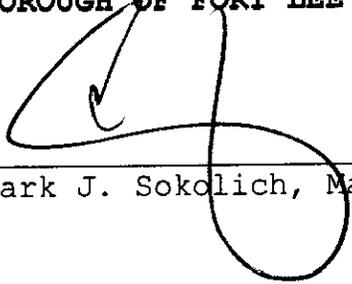
Section 4. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>A. POWAN</u>	Date of Introduction	<u>August 23, 2012</u>
Secoded	<u>J. KASCFSKY</u>	Public Hearing	<u>September 13, 2012</u>
		Date of Adoption	<u>September 13, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-26

AN ORDINANCE AMENDING CHAPTER 406 WRECKERS AND TOWING SERVICE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 406, Wreckers and Towing Service, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 406-2 License and registration required., shall hereby be amended as follows:

§ 406-2. License and registration required.

- A. No person shall be authorized to operate any wrecker or conduct any wrecker service within the Borough of Fort Lee, whether on the police call list or not, without first obtaining a license in accordance with this chapter.
- B. No new license shall be issued except upon the approval of the Mayor and Council.
- C. The Borough shall license up to six (6) towing companies annually, to be included on the police call list.
- D. No employee or agent of a person conducting any wrecker service within the borough, or such person, shall operate any wrecker within the Borough of Fort Lee without first having been registered as provided herein.
- E. Whenever a property owner or agent shall arrange to have a vehicle towed from a location within the Borough of Fort Lee, said property owner or agent shall only utilize the

services of a towing company licensed by the Borough of Fort Lee. An annual list of all licensed towing companies shall be supplied by the Borough of Fort Lee Police Department upon request. The private property owner, designee and/or management company must submit a request to the Chief of the Borough of Fort Lee Police Department or his designee outlining his/her request for permission to use a licensed tow company within the Borough of Fort Lee. This request must be approved by the Chief of the Borough of Fort Lee Police Department prior to any tow service being authorized. The private property owner will also submit a copy of the request to the tow company to conduct private tows. The tow company will also submit copies of any agreements or contracts to tow for the private property owner to the Chief of the Borough of Fort Lee Police Department or his designee. To minimize the possibility of any confusion arising from private property towing, the commercial private property owner is responsible for the posting and maintaining of signage which is clear in its warning to the public using the commercial private property. The signs need to be posted at all entry and exit points and throughout the property to help ensure compliance. The signs must be a minimum of 18 x 18 inches and clearly warn drivers of the consequences of improperly using the property. Contact information, to include the name, address and contact phone number of the property manager, will also be included on the signs to assist the public in addressing concerns and complaints. The towing company that has been chosen by the private property owner to conduct towing within the property will also be listed, along with a contact number for the towing company and the proper towing rate. If the licensee elects to use an on-site parking/property manager, they must be visible to the general public and available to answer any concerns from the public. They will be required to wear visible clothing in the form of a safety vest that identifies them as property managers

- should the need to be identified by either police personnel or the general public. The lettering on the vest will be no less than two inches in height and clearly visible from both the front and back of the vest. [Amended 6-11-2009 by Ord. No. 2009-23]
- F. A wrecking and towing license shall in no way authorize an employee or agent of a person conducting a wrecker service within the Borough to operate or provide a vehicle immobilization service [Added 5-8-2008 by Ord. No. 2008-22]
 - G. A wrecking and towing license shall in no way authorize an employee or agent of a person conducting a wrecker service within the Borough to operate or provide any service that utilizes parking violation stickers [Added 5-8-2008 by Ord. no. 2008-22]
 - H. The licensing and regulation requirements for commercial private property owners shall not apply to residential private property owners. Residential private properties are defined as properties that are structures used solely for living spaces and have an expectation to privacy, as opposed to commercial properties with semipublic roads that do not contain living areas and are used for commercial business purposes only. Residential private property owners are required to contact the Police Department should the situation arise that a vehicle is parked or stationed within their property, to include driveways and/or walkways. [Added 6-11-2009 by Ord. No. 2009-23]"

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

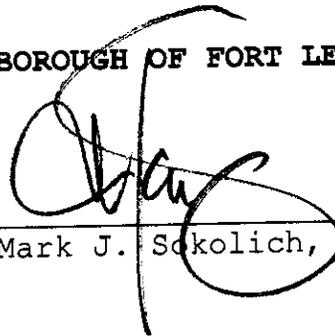
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>A. POKAN</u>	Date of Introduction	<u>August 23, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>September 13, 2012</u>
		Date of Adoption	<u>September 13, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-27

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

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq. and/or N.J.S.A. 55:14K-1 et seq., the Borough is authorized to enter into an agreement with a developer for payment of an annual service charge for municipal services in lieu of taxes for low and moderate income housing projects; and

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

WHEREAS, the Borough and the Assad Y. Daibes Memorial Foundation for Special Needs, Inc. have undertaken to implement the Restated Agreement, but the present financing requirements for the project, notably those of the Housing and Mortgage Finance Agency ("HMFA"), have resulted in a change in the scope of the project such that one-half (i.e. 70) of the total units (i.e. 140) must be market rate units and on-half (i.e. 70) units, but in no event less than seventy (70), will be affordable housing units (the "Project"); and

WHEREAS, because the seventy (70) affordable housing units will be rental units, and because this will enable the Borough to exceed the minimum rental housing requirement of COAH Regulations, this will result in enhanced credit to the Borough such that the Borough will realize as many as ninety-four (94) affordable housing credits from the Project as modified; and

WHEREAS, because fifty-seven (57) units of the affordable housing component of the Project as modified will be special needs units and enable the Borough to address a further public interest in providing such housing; and

WHEREAS, the Borough and the Assad Y. Daibes Memorial Foundation for Special Needs, Inc. have agreed to the terms of a First Amendment to the Restated Agreement for the Project; and

WHEREAS, the Restated Agreement contemplated a long term tax exemption to support the financing for the Project pursuant to the applicable statutes; and

WHEREAS, the Assad Y. Daibes Memorial Foundation for Special Needs, Inc. has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the "Financial Agreement") for the Project; and

WHEREAS, the terms and conditions of the Financial Agreement shall be for a term to be determined by the type of financial assistance received by the Project and shall also be based on the annual gross revenues from the Project; and

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, Bergen County, New Jersey that the Borough and the Assad Y. Daibes Memorial Foundation for Special Needs, Inc. are authorized to enter into a Financial Agreement for the property located at Main Street also known a portion of Lot 13 and Lots 17, 18 & 19 in Block 4355 as shown on the official tax map of the Borough.

BE IT FURTHER ORDAINED, that the terms and conditions of the Financial Agreement shall be for a term to be determined by the type of financing received for the Project and shall also be based on the annual gross revenues from the Project.

BE IT FURTHER ORDAINED, that the Mayor and Borough Clerk are hereby authorized to execute the Financial Agreement in a form and content subject to the final review and approval by the Borough Attorney.

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

Attest:



Joseph Cervieri, Council President

Neil Grant

Neil Grant, Borough Clerk

Introduced	<u>J. CERVIERI</u>	Date of Introduction	<u>September 13, 2012</u>
Seconded	<u>M. SARGUANT</u>	Public Hearing	<u>October 11, 2012</u>
		Date of Adoption	<u>October 11, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-28

AN ORDINANCE AMENDING CHAPTER 126, ALARM SYSTEMS, SECTION 2, ALARM CONSOLE, 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 126, Alarm Systems, Section 2, Alarm Console, of the Code of the Borough of Fort Lee, is hereby amended:

Section 1. That the current text of Borough Ordinance 126-2, Alarm Console, Paragraph E, establishing annual registration fees is hereby rescinded.

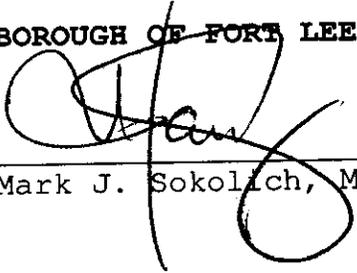
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

BOROUGH OF FORT LEE


Mark J. Sokolich, Mayor

Introduced	<u>N. SENNER</u>	Date of Introduction	<u>September 13, 2012</u>
Seconded	<u>M. SARGULLI</u>	Public Hearing	<u>October 11, 2012</u>
		Date of Adoption	<u>October 11, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-29

AN ORDINANCE AMENDING ORDINANCE #2012-13 ADOPTED ON MAY 10, 2012 WHICH PROVIDED FOR THE CONVEYANCE TO REDEVELOPER OF PROPERTY DESIGNATED AS BLOCK 4851 LOTS 2 AND 3 IN REDEVELOPMENT AREA 5 IN ACCORDANCE WITH THE REDEVELOPMENT LAW SUBJECT TO PUBLIC ROADWAY EASEMENT DEDICATED TO COUNTY OF BERGEN

WHEREAS, the Borough of Fort Lee ("the Borough") adopted Ordinance #2012-13 on May 10, 2012, which provided for the conveyance to the contract redeveloper ("Fort Lee Phase II Owner LLC") of property designated at Block 4851, Lots 2 and 3 (the "Property"), subject to a public roadway easement, in Redevelopment Area 5 in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law"),; and

WHEREAS, on or about September 5, 2012, the Borough conveyed the Property to Fort Lee Phase II Owner LLC, however, it was determined that the deed description of the Property was incorrect and must be redefined to properly describe the Property and the easement conveyed to the County of Bergen as part of the conveyance, as set forth on the legal description on Exhibit A attached hereto and made part of this Ordinance; and

WHEREAS, such legal description for the conveyance of the Property is reflected on a certain map entitled "Final Major Subdivision, The Towers at Fort Lee", Borough of Fort Lee, Bergen County, New Jersey, dated November 30, 2011 and bearing July 26, 2012 as its latest revision date, prepared by Paulus, Sokolowski and Sartor, LLC, Warren New Jersey, said map having been filed in the Bergen County Clerk's Office on or about September 5, 2012 (the "Subdivision Map"); and

WHEREAS, the County of Bergen has approved the Subdivision Map pursuant to its signature of such map and by correspondence to James Demetrakis, Esq., dated August 21, 2012; and

WHEREAS, the intent of this Ordinance is to confirm that the legal description of the Property is in accord with the Subdivision Map and

authorize the execution and issuance of a corrective deed for the Property by the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that it hereby amends Ordinance #2012-13 to authorize the issuance of a corrective deed to Fort Lee Phase II Owner LLC in order to correct the Property description of record and confirm that the Property is part of what is or will now be known as new Lot 4, Block 4851.04, subject, to the easement in favor of the County of Bergen, as dedicated by the filing of the Subdivision Map.

BE IT FURTHER ORDAINED, that the Mayor and Borough Clerk are hereby authorized and directed to execute any documents, including but not limited to a corrective deed, which is required to properly convey Block 4851, Lots 2 and 3 to Fort Lee Phase II Owner LLC; and

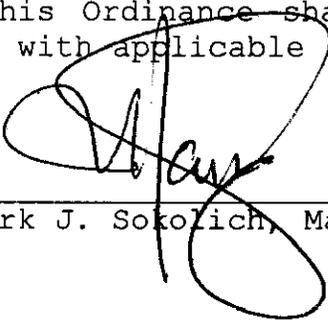
BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall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

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

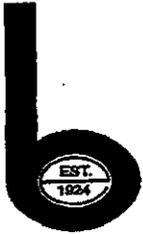
BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Attest:

Neil Grant
Neil Grant
Borough Clerk



Mark J. Sokolich, Mayor



**LEGAL DESCRIPTION OF
LOTS 2 AND 3 IN BLOCK 4851
BOROUGH OF FORT LEE
BERGEN COUNTY
NEW JERSEY**

BEGINNING at the intersection of the easterly right of way line of Park Avenue (105 feet in width), formerly known as Martha Washington Way with the new northerly right of way line of Main Street (Variable width right of way) as laid down on a certain map entitled "Final Major Subdivision, The Towers at Fort Lee", Borough of Fort Lee, Bergen County, New Jersey, dated November 30, 2011 and bearing July 26, 2012 as its latest revision date, prepared by Paulus, Sokolowski and Sartor, LLC, Warren, New Jersey, said map is to be filed in the Bergen County Clerk's Office and running from the beginning point herein described; thence,

1. North 24°02'40" East, along the said easterly right of way line of Park Avenue, for a distance of 134.82 feet to a bend in the same; thence,
2. South 65°20'37" East, along the division line between Lot 1.02 and Lots 2 and 3 in Block 4851, for a distance of 116.44 feet to the former centerline of vacated Hoyt Avenue; thence,
3. South 24°39'23" West, along the same, for a distance of 103.41 feet to a point lying in the aforementioned new right of way line of Main Street; thence,
4. North 80°36'59" West, along the same, for a distance of 119.21 feet to the point of **BEGINNING**.

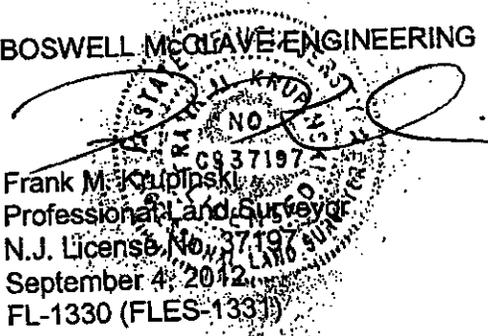
Being further known and designated as Lots 2 and 3 in Block 4851 as shown on the abovementioned map.

Being subject to a 10 foot wide utility easement along the new northerly right of way line of Main Street as laid down on the abovementioned map which is about to be filed.

Containing an area of 13,795 square feet or 0.3167 acres, more or less.

The intent of this description is to redefine Lots 2 and 3 in Block 4851 previously described in the Borough of Fort Lee Ordinance 2012-13, adopted on May 10, 2012, and to make certain that said property and Lots 2 and 3 in Block 4851 as shown on the abovementioned subdivision map are in accord.

BOSWELL McCLAVE ENGINEERING


Frank M. Krupinski
Professional Land Surveyor
N.J. License No. 37197
September 4, 2012
FL-1330 (FLES-1331)

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>September 13, 2012</u>
Seconded	<u>H. SWANER</u>	Public Hearing	<u>October 11, 2012</u>
		Date of Adoption	<u>October 11, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-30

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 64 SCHEDULE XVII CROSSWALKS, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388 Vehicles and Traffic, Article V Schedules, Section 64 Schedule XVII Crosswalks, of the Code of the Borough of Fort Lee, are hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-64, Schedule XVII Crosswalks, is hereby amended to add the following mid-block crosswalks:

Mid-block on Linwood Avenue between the driveway of
2000 Linwood Avenue and Constitution Park

Mid-block on Tom Hunter Way

Mid-block on Slocum Way

Mid-block on McLoud Drive

Mid-block on 16th Street between the Police Department
and the Police Department parking lot

Mid-block on 16th Street between the Community Center
and the west curb of 16th Street

Mid-block on Main Street between the Senior Center
(319 Main Street) and the Public Library (320
Main Street)

Mid-block on Main Street between the Post Office (229 Main Street) and the south curb of Main Street

Mid-block on Main Street between Inn Napoli (116 Main Street) and the Municipal Parking Lot (113 Main Street) on the north side of Main Street

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

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

ATTEST:



Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J. CURVEM</u>	Date of Introduction	<u>September 13, 2012</u>
		Public Hearing	<u>October 11, 2012</u>
Seconded	<u>A. PUNAN</u>	Date of Adoption	<u>October 11, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-31

AN ORDINANCE AMENDING CHAPTER 372 TAXICABS AND LIMOUSINES, ARTICLE 1, TAXICABS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

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

Section 1. The current text of Paragraph E. Borough Ordinance 372-2 Licensing of taxicabs required. [Amended 8-23-2012 by Ord. No. 2012-25], shall hereby be amended and replaced with the following:

E. Applicants for a taxicab driver's license shall be made to the Chief of Police upon forms provided by the Fort Lee Police Department. Applicants shall meet the following qualifications:

- (1) Be over 18 years of age.
- (2) Be a United States citizen or legal resident with work privileges.
- (3) Possess a valid State issued driver's license.
- (4) Be in good health.
- (5) Be of good moral character.
- (6) Be able to read and write the English language.
- (7) Be fingerprinted by the Police Department, with a report therein

received from the State Police or Federal Bureau of Investigation.

- (8) Have a good knowledge of the Borough and State traffic laws and regulations.
- (9) Be investigated by the Chief of Police or a police officer designated by the Chief, which shall be reported to the Mayor and Council within a reasonable time. The report shall include a recommendation that the license be granted or denied and the reasons thereof.

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

BOROUGH OF FORT LEE

Mark J. Sokolich

Mark J. Sokolich, Mayor

Introduced	J. CURVILLI	Date of Introduction	September 13, 2012
Seconded	J. KASOBSKY	Public Hearing	October 11, 2012
		Date of Adoption	October 11, 2012

BOROUGH OF FORT LEE

ORDINANCE # 2012-32

AN ORDINANCE AMENDING CHAPTER 193 CONSTRUCTION CODES, UNIFORM, SECTION 2 FEES, SCHEDULE B FIRE SUB-CODE 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 Construction Codes, Uniform, Section 2 Fees, Schedule B Fire Sub-Code Fees, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 193-2 Fees, Schedule B Fire Sub-Code Fees, is hereby amended to add the following:
New Construction

Commercial Use Up to 5,000 Sq. Ft. \$500.00 Review/Inspection Fee, plus \$2.00 per fire protection/detection device, plus and additional fees listed below

Commercial Use Over 5,000 Sq. Ft. \$1,000.00 Review/Inspection Fee, plus \$2.00 per fire protection/detection device, plus and additional fees listed below

Residential \$100.00 Base Fee, plus \$100.00 each unit Review/Inspection Fee, plus \$2.00 per fire protection/detection device, plus additional fees listed below

Hotel/Motel \$100.00 Base Fee plus \$100.00 each unit Review/Inspection Fee, plus \$2.00 per fire protection/detection device, plus and additional fees listed below

Renovation
Commercial Use \$200.00 Review/Inspection Fee, plus \$2.00 per fire protection/detection device, plus and additional fees listed below

ADDITIONAL FEES

Fire Alarm Control Panel		\$500.00
Fire Pump		\$500.00
Flexible Chimney Pipe		\$100.00
Fuel Storage Tanks Residential	One and Two Family, Owner Occupied Multiple Dwellings (same as commercial below)	\$100.00
Fuel Storage Tanks Commercial	Up to 999 Gallons 1,000 to 2,999 Gallons 3,000 to 4,999 Gallons Over 5,000 Gallons	\$100.00 \$200.00 \$300.00 \$400.00
Gas/Oil Appliance (per Appliance)		\$100.00
Kitchen Hood System Commercial		\$200.00
Kitchen Hood Suppression Systems		\$100.00
Dry chemical, CO2, Halon, Foam, etc.		\$300.00
Stand Pipes (per riser)		\$250.00
Stairwell Pressurization/Smoke Removal Systems		\$1,000.00

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

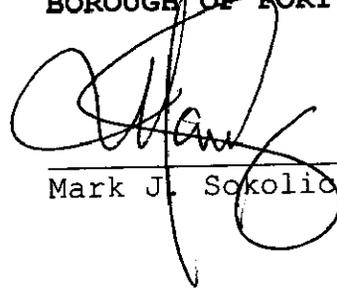
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J. CERVELLI</u>	Date of Introduction	<u>October 11, 2012</u>
		Public Hearing	<u>November 15, 2012</u>
Seconded	<u>I. KASASKY</u>	Date of Adoption	<u>November 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-33

AN ORDINANCE AMENDING CHAPTER 159 BUILDERS AND CONTRACTORS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 159, Builders and Contractors, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 159-1 Registration required., shall hereby be amended as follows:

§ 159-1. Registration required.

- A. Every person, firm or corporation engaged in the business of constructing, erecting, altering, repairing, restoring, reroofing, residing, moving or demolishing the whole or any part of buildings or structures or engaged in the construction and installation of swimming pools or engaged in the business of erecting or altering signs, for any of which a permit is required by the applicable ordinances of the Borough, shall be required to register the name of such person, firm or corporation with the Building Inspector.
- B. Persons, firms or corporations engaged in the business of constructing homes, who are required to be registered by the State of New Jersey pursuant to the New Home Warranty and Builders Registration Act, N.J.S.A. 46:3B-1 et seq., or the Contractors' Registration Act,

N.J.S.A. 56:8-136 et seq., shall not be required to be registered under the provisions of this chapter.

- C. The owner or occupant of a building or structure applying for a permit required by a Borough ordinance shall not be required to register, provided that he intends to do and supervise his own work.

Section 2. That the current text of Borough Ordinance 159-2 Registration classes., shall hereby be amended as follows:

§ 159-2. Registration classes.

- A. Contractor: a contractor who is engaged in the business of the construction of a building or structure from start to finish or the alteration, addition to or repair of any building or structure. This class of contractor shall be equipped to handle such work by and through his own work or his own organization or employees.
- B. Demolition contractor: a contractor who is engaged in the business of demolishing any building or structure in whole or in part.
- C. General contractor: a contractor who is engaged in the business of the construction of a building or structure from start to finish or the alteration, addition to or repair of any building or structure. This class of contractor shall be equipped to handle such work either by and through his own organization or appropriate subcontractors and, in the latter event, must be completely responsible for his subcontractors' work.
- D. Miscellaneous contractor: a contractor who is engaged in work of a special character as determined by the Building Inspector.

- E. Moving contractor: a contractor who is engaged in the business of moving any building or structures.
- F. Roofing and siding contractor: a contractor who is engaged in the business of the application of roofing and siding materials to existing or new building structures.
- G. Sign or billboard contractor: a contractor who is engaged in the business of the erection, alteration or maintenance of signs or billboards.
- H. Swimming pool contractor: a contractor who is engaged in the business of the installation of swimming pools, their equipment and appurtenances.

Section 3. That the current text of Borough Ordinance 159-3 Submission of application: contents., shall hereby be amended as follows:

§ 159-3. Submission of application: contents.

- A. Applications for registration under this chapter shall be submitted to the Building Inspector on forms supplied by him and shall include, in addition to any information he may deem necessary, the following information:
 - (1) Business name or corporate or firm name of the contractor;
 - (2) In the case of a firm, corporation or partnership, the name and address of each principal officer and/or member of said firm, corporation or partnership;
 - (3) The number of years such person, firm or corporation has been in business;
 - (4) The number of years such person, firm or corporation has conducted business at its current locations;

- (5) The address(es) of prior business locations, if any, and the dates during which it conducted business at each address;
- (6) The name and address of the applicant's public liability insurance company, amount(s) of coverage and policy number(s). A copy of the applicant's public liability insurance policy declarations page shall be submitted with the application;
- (7) The name(s) and license number(s) of any licensed architect(s) and/or engineer(s) which the applicant has on staff.

B. The applicant shall also state the type of work customarily performed by the applicant.

Section 4. That the current text of Borough Ordinance 159-4 Fee., shall hereby be amended as follows:

§ 159-4. Fee.

- A. No person, firm or corporation shall be registered under this chapter or shall be reregistered after revocation under § 159-6 of this chapter unless and until there is paid to the Building Inspector a fee of \$75.
- B. Registration shall be effective for a period of one year and, so long as the registration is not revoked under § 159-5 of this chapter, may be renewed for additional one-year periods upon payment of an annual renewal fee of \$50.

Section 5. That the current text of Borough Ordinance 159-5 Notice of violation: revocation of registration., shall hereby be amended as follows:

§ 159-5. Notice of violation: revocation of registration.

- A. If any person, firm or corporation registered by the State of New Jersey or under the provisions of this chapter shall fail, in the

execution of any work, to comply with the applicable ordinances and regulations of the Borough relevant to the construction, erection, alteration, repair, restoration, residing, reroofing, moving or demolition of any building, structure, swimming pool, sign or billboard or park thereof, the Building Inspector shall cause a notice of violation to be served upon such person, or principal member or officer of any such firm or corporation. Such notice shall:

- (1) Be in writing;
 - (2) Include a statement of the reasons why it is being issued;
 - (3) State that unless, within 10 days from the service of the notice, a written request is made for hearing before the Building Inspector, said notice shall, at the expiration of such ten-day period, be deemed an order to cease and desist from and to abate the described violation;
 - (4) Prescribe a reasonable time within which such person shall be required to cease and desist from and to abate such violation.
- B. Upon a finding by the Building Inspector that the person, firm or corporation has failed to comply with any of the applicable ordinances and/or regulations of the Borough, or upon the failure of such person, firm or corporation to correct such violation within the period of time specified in the notice of violation, the person, firm or corporation may be fined up to the maximum extent allowed by law. Where applicable, the Borough issued registration of such person, firm or corporation shall be revoked by the Building Inspector, who shall strike the name of such person, firm or corporation from the registration list and shall not re-enter or reinstate such

registration during such time as said violation exists or remains.

Section 6. That the current text of Borough Ordinance 159-6 Registration after revocation., shall hereby be amended as follows:

§ 159-6. Registration after revocation.

Any person, firm or corporation whose registration has been revoked under the provisions of § 159-5 of this chapter may reregister and have his or its name re-entered upon the registration list upon submitting proof satisfactory to the Building Inspector that all violations with reference to which the registration was revoked have been corrected or are nonexistent and upon payment of the fee prescribed in § 159-4.

Section 7. That the current text of Borough Ordinance 159-7 Violations and penalties., shall hereby be amended as follows:

§ 159-7. Violations and penalties.

- A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment for a term not exceeding 90 days and/or a period of community service not exceeding 90 days; and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.
- B. The imposition of penalties herein prescribed shall not preclude the Borough or any person from instituting appropriate legal action or proceeding to prevent an unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, use or tenancy or to restrain, correct or abate a violation or to prevent the illegal occupancy of a building, structure or premises.

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

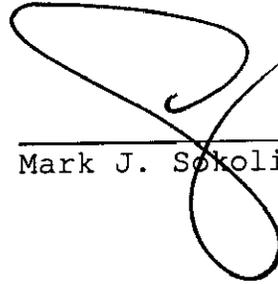
Section 9. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>J CERVIERI</u>	Date of Introduction	<u>October 11, 2012</u>
		Public Hearing	<u>November 15, 2012</u>
Seconded	<u>A POWAN</u>	Date of Adoption	<u>November 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-34

**AN ORDINANCE AMENDING CHAPTER 258 LANDSCAPERS AND
SNOWPLOWING CONTRACTORS, OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF FORT LEE**

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 258, Landscapers and Snowplowing Contractors, of the Code of the Borough of Fort Lee, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 258-2 Licensing., shall hereby be amended as follows:

§ 258-2. Licensing.

- A. No individual person, partnership, firm, association, business or legal entity shall conduct a landscaping business within the Borough without first having obtained a license from the Building Department.
- B. Persons, partnerships, firms, associations, business or legal entities required to be registered by the State of New Jersey pursuant to the Contractors' Registration Act, N.J.S.A. 56:8-136 et seq., shall not be required to be registered under the provisions of this chapter.
- C. All applications for landscaping and snowplowing licenses shall be in writing on forms furnished by the Building Department, signed by the applicant or the authorized agent of the applicant, and presented to the Building Department. The application shall state the name of the landscaper or contractor, all locations within the Borough

where their services are being provided, the correct name under which the business is being operated, the residence of the applicant and such other pertinent information as may be necessary for an investigation of the applicant. All applications for licenses shall, after appropriate investigation, be presented to the Construction Official, who shall either grant or refuse the application. Thereafter, if the application is approved, the Borough shall issue the license upon payment of the license fee as hereinafter provided. All licenses issued shall expire on December 31 of each year. If the application is denied by the Borough, the landscaper or contractor providing snowplowing services shall have the right to appeal such determination, within 20 days of rejection, to the Mayor and Council.

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

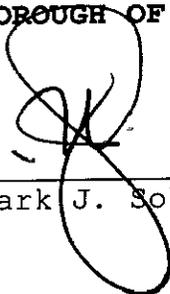
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor

Introduced	<u>A. POWN</u>	Date of Introduction	<u>October 11, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>November 15, 2012</u>
		Date of Adoption	<u>November 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-35

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO INWOOD TERRACE PARK PLAYGROUND IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$71,700 THEREFOR AND AUTHORIZING THE ISSUANCE \$35,150 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 \$71,700, including a grant expected to be received from the Bergen County Open Space Trust Fund in the amounts of \$34,700 (the "Bergen County Open Space Grant") and including the sum of \$1,850 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of and not otherwise covered by the Bergen County Open Space Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$35,150 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 improvements to the Inwood Terrace Park rubber surface playground, 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 \$35,150, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 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. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

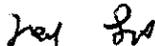
Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the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

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

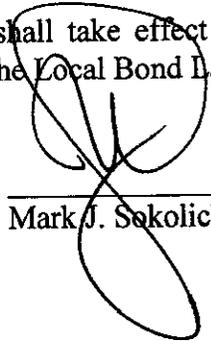
Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy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

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

Attest:



Neil Grant, Borough Clerk


Mark J. Sokolich, Mayor

Introduced	A POWAN	Date of Introduction	October 11, 2012
Seconded	N. SCHMER	Public Hearing	November 15, 2012
		Date of Adoption	November 15, 2012

BOROUGH OF FORT LEE

ORDINANCE # 2012-36

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE ACQUISITION BY NEGOTIATED PURCHASE OR EMINENT DOMAIN OF PROPERTY IDENTIFIED AS BLOCK 4851, LOT 5, ALSO KNOWN AS 183 MAIN STREET, FORT LEE, NEW JERSEY FOR THE PURPOSE OF CREATING ADDITIONAL PUBLIC PARKLAND AND OPEN SPACE.

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough of Fort Lee is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40:61-1, the Borough of Fort Lee has the power to acquire any real property for a public parks and open space through negotiated agreement or by the exercise of the power of eminent domain; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Borough of Fort Lee has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of the power of eminent domain; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee have determined that it is in the public interest to acquire a fee simple interest in a 0.443 acre property in Fort Lee, approximately 75 feet in width by 200 feet in length, located at 183 Main Street, in Fort Lee, New Jersey, legally identified as Block 4851, Lot 5 on the Tax Map for the Borough of Fort Lee (the "Property"), for the purpose of establishing a new public park and open space for the benefit of Borough residents and visitors; and

WHEREAS, on May 16, 2011, the Fort Lee Planning Board adopted a Master Plan Reexamination Report which recommends that the land use designation of the Property be changed from Central Business

District to "public park" with the goal of creating much needed public open space/parkland in the downtown area of the Borough; and

WHEREAS, the Borough of Fort Lee has determined that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser and the Borough has retained appraiser Mark W. Sussman, of Lasser Sussman, LLC, 220 South Orange Avenue, Livingston, New Jersey 07039-5817; and

WHEREAS, the Borough of Fort Lee shall comply with applicable State Relocation Assistance laws and regulations and shall prepare a workable relocation assistance plan for the Property.

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

SECTION I:

The Borough determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in property identified as Block 4851, Lot 5, also known as 183 Main Street, Fort Lee, New Jersey for purposes of creating additional public parkland and open space for the benefit of Borough residents and visitors.

SECTION II:

The Borough hereby that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser and the Borough has retained such an appraiser.

SECTION III:

The Borough authorizes all actions necessary and convenient for the acquisition of the Property by negotiated purchase or condemnation pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1 et seq.

SECTION IV:

The Office of the Borough Attorney is hereby authorized to proceed with acquisition of the aforesaid property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain

Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes

SECTION V:

- A. The Mayor and Borough Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Borough Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the Property to the Borough of Fort Lee, including any documents necessary to acquire the Property by condemnation.
- B. The Mayor and Borough Clerk are hereby authorized to execute and witness a construction easement for the development and completion of a public park to be situated upon the Property and to facilitate the construction of the West Parcel.

SECTION VI:

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION VII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

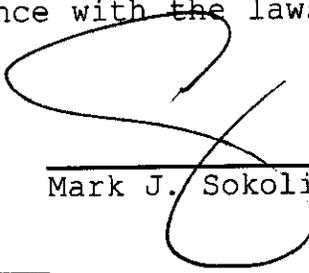
SECTION VIII:

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk



Mark J. Sokolich, Mayor

Introduced	<u>J. CURVILEY</u>	Date of Introduction	<u>October 11, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>November 15, 2012</u>
		Date of Adoption	<u>November 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-37

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

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

Section 1. That the current text of Borough Ordinance 289-15 Parking Meter Zones Established; Violations and Penalties, Paragraph B (17) Lewis Street, is hereby replaced with the following:

(17) Lewis Street

(a) North side, Linwood Avenue west to Fletcher Avenue: Nine (9) hours.

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

(c) Parking shall be prohibited on the south side of Lewis Street beginning at a point 205 feet west of the intersection of Linwood Avenue and continuing for a distance of 60 feet, said location being the entrance of Constitution Park.

Section 2. That the current text of Borough Ordinance 289-15 Parking Meter Zones Established; Violations and Penalties, Paragraph B (20) Fletcher Avenue, is hereby replaced with the following:

(20) Fletcher Avenue

(a) East side, 35 feet north of the intersection of Main Street and Fletcher Avenue in a northerly direction to a point 35 feet south of the intersection of Fletcher Avenue and Lewis Street: Nine (9) hours.

(b) West side, 35 feet north of the intersection of Main Street and Fletcher Avenue in a northerly direction to a point 200 feet north of the intersection of Main Street and Fletcher Avenue: Nine (9) hours.

(c) Nine-hour metered parking is hereby authorized along the east side of Fletcher Avenue beginning at a point 35 feet north of the intersection of Main Street and Fletcher Avenue and continuing to a point 235 feet north therefrom.

(d) Three-hour angular parking is hereby authorized along the east side of Fletcher Avenue, beginning at a point 270 feet north of Main Street and continuing to a point 144 feet south of the intersection of Lewis Street and Fletcher Avenue.

(e) Parking shall be prohibited on the east side of Fletcher Avenue from the intersection of Lewis Street for a distance of 144 feet southerly therefrom.

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

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

ATTEST:

BOROUGH OF FORT LEE

Neil Grant

Neil Grant
Borough Clerk



Mark J. Sokolich, Mayor

Introduced	<u>J. Cervino</u>	Date of Introduction	<u>October 11, 2012</u>
Seconded	<u>N. Senner</u>	Public Hearing	<u>November 15, 2012</u>
		Date of Adoption	<u>November 15, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-38

AN ORDINANCE AMENDING CHAPTER 289 PARKING, ARTICLE IV PARKING METERS, MUNICIPAL PARKING LOTS AND PERMIT PARKING, SECTION 36 RESIDENTIAL PERMIT PARKING, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 289 Parking, Article IV Parking Meters, Municipal Parking Lots and Permit Parking, Section 36 Residential Permit Parking, is hereby amended as follows:

Section 1. That the current text of Borough Ordinance 289-36 Residential Permit Parking is hereby amended to designate the following streets for residential parking only:

T. The following streets are restricted to parking for residents only on Saturdays, Sundays and holidays:

1. Hudson Terrace for its entire length.
2. Myrtle Avenue
3. Washington Avenue
4. Wall Street
5. Prospect Street
6. 5th Street
7. 6th Street

8. 7th Street
9. 8th Street
10. Merkel Street
11. Sylvan Avenue
12. North Central Road
13. Hudson Street
14. Bigler Street
15. Central Road
16. Central Avenue

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

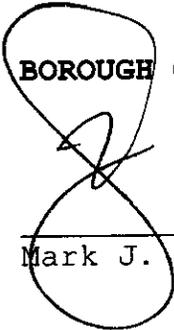
Section 2. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE


Mark J. Sokolich, Mayor

Introduced	<u>H. SCHMIDT</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>December 20, 2012</u>
		Date of Adoption	<u>December 20, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-39

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

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

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

"388-69": From the apex of the northwest corner of Plateau Avenue and Anderson Avenue and extending two hundred twenty-five (225) feet north along the west curb line of Anderson Avenue and from there extending twenty (20) feet north for a total of two hundred forty-five (245) feet from the apex.

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.

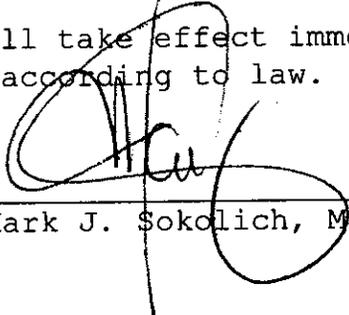
Section III: In the event on any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fort Lee, the provisions hereof shall be deemed to govern. All other parts, portions, and provisions of Chapter 388 are hereby ratified and confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Mark J. Sokolich, Mayor

Introduced	<u>H. Sommer</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>L. KASCHY</u>	Public Hearing	<u>December 20, 2012</u>
		Date of Adoption	<u>December 20, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE# 2012-40

AN ORDINANCE AMENDING CHAPTER 388 VEHICLES AND TRAFFIC, ARTICLE V SCHEDULES, SECTION 43 SCHEDULE I NO PARKING, OF THE CODE OF THE BOROUGH OF FORT LEE

BE IT ORDAINED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that Chapter 388 Vehicles and Traffic, Article V Schedules, Section 43 Schedule I No Parking, of the Code of the Borough of Fort Lee, are hereby amended as follows:

Section 1. That the current text of Borough Ordinance 388-43, Schedule I No Parking, is hereby amended to add the following:

Section 2. Chapter 388, Section 43, Schedule I, entitled "No Parking," be and the same is hereby amended as follows:

Name of Street	Side:	Location
Crescent Way	West	From its Apex with Bridle Way to its Intersection With Crescent Court

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

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

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE

Mark J. Sokolich
Mark J. Sokolich, Mayor

Introduced	<u>J. GLEBANE</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>N. SENARIN</u>	Public Hearing	<u>December 20, 2012</u>
		Date of Adoption	<u>December 20, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-41

ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$368,908 FOR ACCUMULATED SICK, VACATION AND RELATED EXPENSES IN CONNECTION WITH THE RETIREMENT OF BOROUGH EMPLOYEES, 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:

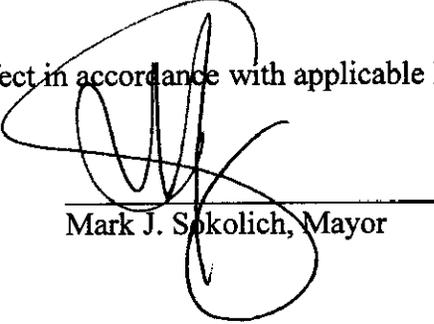
Section 1. A special emergency appropriation is hereby authorized pursuant to N.J.S.A. 40A:4-53(h), in the amount of \$368,908, to provide for the accumulated sick, vacation and related expenses incurred in connection with the retirement of various Borough employees.

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

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

Attest:

Neil Grant
Neil Grant, Borough Clerk


Mark J. Sokolich, Mayor

Introduced	<u>M. SARGENTI</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>H. SCHMIDT</u>	Public Hearing	<u>December 20, 2012</u>
		Date of Adoption	<u>December 20, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-42

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

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

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

1. (ww) Along the south curblineline of Cedar Street, beginning at a
point 19 feet east of telephone pole #61010FTL and
continuing east along the same curblineline for an additional
26 feet
2. (qqq) Along the west curblineline of Glen Road beginning at a point
62 feet south of the apex of the southwest corner of Glen
Road and Route 5 and extending 20 feet south along the
same curblineline

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

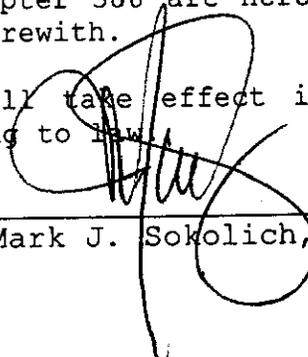
Section III: In the event on any inconsistencies between the
provisions of this Ordinance and any prior ordinance of the Borough of
Fort Lee, the provisions hereof shall be deemed to govern. All other
parts, portions, and provisions of Chapter 388 are hereby ratified and
confirmed, except where inconsistent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

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

ATTEST:

Neil Grant

Neil Grant, Borough Clerk


Mark J. Sokolich, Mayor

Introduced	<u>N. SONHLER</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>M. SARGENT</u>	Public Hearing	<u>December 5, 2012</u>
		Date of Adoption	<u>December 5, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-43

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,050,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,952,380 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(a) 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(a), there is hereby appropriated the sum of \$2,050,000, including the sum of \$97,620 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,952,380 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 land, consisting of Block 4851, Lot 5 on the tax maps of the Borough, in connection with the settlement of a civil action entitled, "183 Main Street Realty Associates, LLC vs. Borough of Fort Lee, TDC Fort Lee, LLC, Tucker Development and Acquisition Fund, LLP" 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 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(a) 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 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 \$1,952,380, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 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. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the 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 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

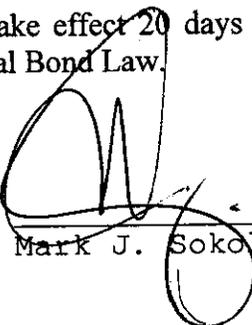
Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy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

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

ATTEST:



Neil Grant
Borough Clerk



Mark J. Sokolich, Mayor

Introduced	<u>J GOLDBERG</u>	Date of Introduction	<u>November 15, 2012</u>
Seconded	<u>M SCHMIDT</u>	Public Hearing	<u>December 20, 2012</u>
		Date of Adoption	<u>December 20, 2012</u>

BOROUGH OF FORT LEE

ORDINANCE # 2012-44

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

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

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

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

1 Police Chief

1 Deputy Chief

3 Captains

7 Lieutenants

8 Sergeants

69 Police officers

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

be designated by the Mayor and Council, to assume temporary command.

C. The Chief of Police shall be the executive and supervisory officer of the Police Department and is responsible to the Police Committee for its proper functioning.

D. Officers of the Department shall rank in the order set forth above, and rank seniority shall be determined by date of advancement to that rank plus longevity as determined by the Administrative Code for Civil Service employees.

E. The senior ranking officer on duty on any shift shall be in charge of the Department during the shift unless relieved by an officer of higher rank, who shall thereupon sign an entry in the blotter to that effect.

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

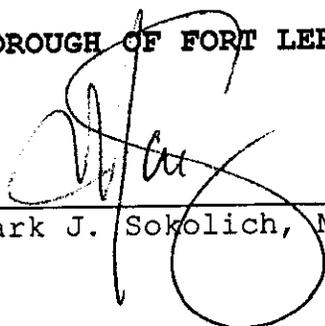
Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:

Neil Grant

Neil Grant
Borough Clerk

BOROUGH OF FORT LEE



Mark J. Sokolich, Mayor