



**2017
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA				
DI PAOLO				
GEIST				
MANNA				
MORRELL				
RIQUELME				
MAYOR KELLY				
TOTALS				

Ordinance No. 1518

Date: May 16, 2017

Page: 1 of 4

Subject: Capital Bond Ordinance-
Police Vehicles

Purpose: Amend and Supplement

Dollar Amount: \$60,000

Prepared By: Jason Capizzi, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Adopted on 2nd Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

BOND ORDINANCE AMENDING AND SUPPLEMENTING SECTION 3(A) OF BOND ORDINANCE NO. 1498 FINALLY ADOPTED ON MAY 17, 2016 TO PROVIDE FOR THE PURCHASE OF AN ADDITIONAL SPORT UTILITY VEHICLE BY THE BOROUGH OF DUMONT, TO APPROPRIATE AN ADDITIONAL \$60,000 THEREFOR AND AUTHORIZE THE ISSUANCE OF AN ADDITIONAL \$57,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUMONT (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Dumont, a municipal corporation of the State of New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$60,000 (such sum being in addition to the \$252,000 appropriated in Section 1 of Bond Ordinance No. 1498 finally adopted on May 17, 2016), including the sum of \$3,000 as the additional down payment required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$57,000 (such sum being in addition to the \$91,800 authorized in Section 2 of Bond Ordinance No. 1498 finally adopted on May 17, 2016) 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. Section 3(a) of Bond Ordinance No. 1498 finally adopted on May 17, 2016 is hereby amended to read as follows:

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

- (a) Purchase of 3 Sport Utility Vehicles for the Police Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$122,000	\$116,000	5 years"

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

determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates 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 of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

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

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

(b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5 years. However, since this bond ordinance is amending a section of a multipurpose bond ordinance, the average period of usefulness set forth in Section 6(b) of Bond Ordinance No. 1498 finally adopted on May 17, 2016 is hereby amended to read 5.62 years.

(c) An aggregate amount not exceeding \$1,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to 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 \$57,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. 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 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

James J. Kelly, Mayor

Attest:

Susan Connelly, RMC
Municipal Clerk

Reintroduced: May 2, 2017

Adopted: May 16, 2017



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MAYOR KELLY				
TOTALS				

Ordinance No. 1520
Date: May 16, 2017
Page: 1 of 2
Subject: Driveway Width
Purpose: Amend Chapter 380-3
Dollar Amount:

Offered by: _____
Seconded by: _____

Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

ORDINANCE AMENDING DRIVEWAYS-CHAPTER 380-3 OF THE DUMONT CODE

WHEREAS, it is the express purpose of this Chapter to protect the public health, as well as the safety and welfare of the public by establishing standards governing the maintenance, condition and occupancy of premises situations in the Borough, used or intended to be used for single or multi-family dwelling residential purposes, and to establish standards governing such physical components and conditions essential to make such premises fit for human habitation or occupancy, and to prevent blighting conditions; and

WHEREAS, it has been brought to the attention of the Mayor and Council that there is a need to amend Chapter §380-3 of the Borough of Dumont Code to permit and encourage vehicular

parking on improved paved driveways on the property of multi-family residences and commercial premises;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter of the Dumont Borough Code known as §380-3 Driveways shall be amended as hereinafter provided:

§380-3 shall be amended to read:

“All driveways across any sidewalk shall not exceed 20 feet in width, and shall cross the sidewalk at right angles thereto and in a straight line until at least five feet from the curbline. No asphalt shall be overlaid past the gutter line. Such driveways shall be laid on the established grade of the sidewalk, and in such manner, that the surface water thereof shall be conducted to the street gutters. Driveway width between 16 feet and 20 feet shall not constitute additional lot coverage for the purposes of calculating such limitation to be in accordance with zoning limitations defined elsewhere within the Borough Code.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC, Municipal Clerk

Introduced: May 16, 2017

Adopted: _____, 2017



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Ordinance No. 1521

Date: May 16, 2017

Page: 1 of 3

Subject: Driveways and other Paved Areas

Purpose: Amend Chapter 455-20

Dollar Amount: _____

Prepared By: Gregg Paster, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

**ORDINANCE AMENDING ZONING: DRIVEWAYS AND OTHER PAVED AREAS
CHAPTER 455-20 OF THE DUMONT CODE**

WHEREAS, it is the express purpose of this ordinance to regulate the nature and extent of the uses of land and of building structures through zoning to the fullest extent permitted by the Municipal Land Use Law, the Constitutions of the United States and the State of New Jersey, and to generally exercise the police power; and

WHEREAS, it has been requested by the Dumont Joint Land Use Board that Chapter 455 of the Borough of Dumont Code be amended to appropriately clarify the building permits procedure following Board approval and the responsibilities therein.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that the Chapter of the Borough of Dumont Code known as §455-20 Driveways and other paved areas shall be amended as hereinafter provided:

§455-20 A. shall be amended to read:

“In the RA Residential District, no driveway or other paved area having a total width of more than 20 feet shall be installed or extended in any front yard area, nor shall any curb cut for such driveway exceed the width of 20 feet. However, in the case of a driveway leading to a garage which opens at the front of the dwelling structure and is a connected, integral part of that structure, this section shall not prevent the installation or extension of a driveway or other paved area having a width no greater than 150% of the total width of such garage, and then for only so long as such garage exists.”

§455-20 B. shall be amended to read:

“In the RA Residential District, no driveway or other paved area having a total width of more than 20 feet shall be installed or extended beyond the setback line or in the rear yard, except if the width of such driveway or paved area is equal to 150% of the width of the garage to which such driveway leads, and then only so long as such garage exists. However, nothing contained in this subsection shall be construed to permit the installation or extension of a driveway or other paved area wider than those permitted by Subsection A above in the front yard of the premises.”

A new subchapter, §455-20 C. shall be added to read:

“Driveway width between 16 feet and 20 feet, as permitted in Sections A and B above shall not constitute additional lot coverage for the purposes of calculating such limitation to be in compliance with zoning limitations defined elsewhere within the Borough Code.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC, Municipal Clerk

Introduced: May 16, 2017

Adopted: _____, 2017



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MAYOR KELLY				
TOTALS				

Ordinance No. 1522

Date: May 16, 2017

Page: 1 of 3

Subject: Off-Street Parking

Purpose: Amend Chapter 455-17

Dollar Amount: _____

Offered by: _____

Seconded by: _____

Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

**ORDINANCE AMENDING OFF-STREET PARKING CHAPTER 455-17 OF
THE DUMONT CODE**

WHEREAS, it is the express purpose of this Chapter to protect the public health, as well as the safety and welfare of the public by establishing standards governing the maintenance, condition and occupancy of premises situation in the Borough, used or intended to be used for single or multi-family dwelling residential purposes, and to establish standards governing such physical components and conditions essential to make such premises fit for human habitation or occupancy, and to prevent blighting conditions; and

WHEREAS, it has been requested by the Dumont Police Department that Chapter 455 of the Borough of Dumont Code be amended to explicitly prohibit vehicular parking on grassy front yards and side yards surrounding single and two family residences and commercial dwellings, not designated or zoned as driveways; and

WHEREAS, the Borough seeks to diminish the environmental contamination resulting from the discharge of motor vehicles fluids such as air conditioning refrigerant, motor oil, and radiator fluid, into the soil and groundwater;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 455-17 Off-street parking of the Borough of Dumont Code shall be amended as hereinafter provided:

No vehicle shall be permitted to park, stop, or stand on any surface that is not an impervious surface. To that end, language will be added to Chapter 455-17.

455-17 E shall be amended to read

“All off-street parking spaced and driveways shall be paved *or otherwise constructed with an impervious surface*, pursuant to the provisions of this chapter.”

The definition of “Impervious Surface” will be added to Chapter 455-5 (B).

455-5 (B) shall be amended to include the following definition and accompanying examples:

“IMPERVIOUS SURFACE

“A surface covered with a layer of material that is highly resistant to water infiltration. Examples of impervious surfaces include asphalt, macadam, concrete, brick pavers, and compacted surfaces.

Examples of surfaces that are specifically not classified as impervious surfaces include dirt, earth, grass, gravel, rock, sand, wood chips, nor any other loose, non-compacted surface covering.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Penalties. Violations of this section shall be punishable pursuant to the terms and conditions of Chapter 21 Section 2 of the Borough of Dumont code, and each day during which the violation shall continue may be considered a separate violation.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC, Municipal Clerk

Introduced: May 16, 2017

Adopted: _____

