



**2010**  
**BOROUGH OF DUMONT**  
**ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
CASPARE	✓			
FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Offered by:  
Seconded by:

Zamechansky  
Freeman

Ordinance No. 1412  
Date: September 21, 2010  
Page: 1 of 4  
Subject: Private Storm Drain Inlet Retrofitting  
Purpose: Approval  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**PRIVATE STORM DRAIN INLET RETROFITTING ORDINANCE**

**SECTION I. Purpose:**

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Dumont so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

## **SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Dumont or other public body, and is designed and used for collecting and conveying stormwater.
- b. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

## **SECTION III. Prohibited Conduct:**

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

Every day after the initial citation for violation of this section may be considered a separate violation, in the discretion of the municipal prosecutor and municipal court judge.

## **SECTION V. Design Standard:**

Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this

paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

ii. A bar screen having a bar spacing of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an

encroachment or will damage or destroy the New Jersey Register listed historic property.

**SECTION V. Enforcement:**

This ordinance shall be enforced by the Dumont Police Department and/or the Superintendent of Public Works or Building Code official of the Borough of Dumont.

**SECTION VI. Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000.00, in the discretion of the municipal court judge, for each storm drain inlet that is not retrofitted to meet the design standard.

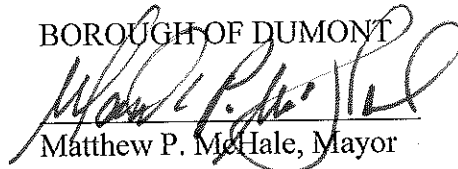
**SECTION VII. Severability:**

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

**SECTION VIII. Effective date:**

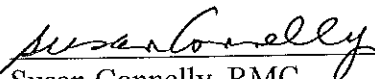
This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DUMONT



Matthew P. McHale, Mayor

ATTEST:

  
Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



**2010**  
**BOROUGH OF DUMONT**  
**ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
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FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Ordinance No. 1413  
Date: September 21, 2010  
Page: 1 of 3  
Subject: Dumpsters/Refuse Containers Pertaining to Stormwater  
Purpose: \_\_\_\_\_  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Offered by: Stylianou  
Seconded by: Caspere

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**REFUSE CONTAINERS/DUMPSTERS-REQUIREMENTS  
PERTAINING TO STORMWATER**

**SECTION I. Purpose:**

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Dumont and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

## **SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Dumont or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

## **SECTION III. Prohibited Conduct:**

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Dumont.

Every day after the initial citation for violation of this section may be considered a separate violation, in the discretion of the municipal prosecutor and municipal court judge.

## **SECTION IV. Exceptions to Prohibition:**

- a. Permitted temporary demolition containers

- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

**SECTION V. Enforcement:**

This ordinance shall be enforced by the Dumont Police Department and/or Superintendent of Public Works of the Borough of Dumont.

**SECTION VI. Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000.00 for each such violation, in the discretion of the municipal court judge.

**SECTION VII. Severability:**

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

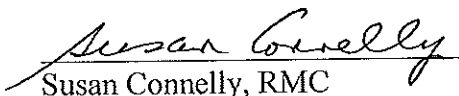
**SECTION VIII. Effective date:**

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

BOROUGH OF DUMONT

  
Matthew P. McHale, Mayor

ATTEST:

  
Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



**2010**  
**BOROUGH OF DUMONT**  
**ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
CASPARE	✓			
FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Offered by: Carrick  
Seconded by: Freeman

Ordinance No. 1417  
Date: September 21, 2010  
Page: 1 of 3  
Subject: Swimming Pools  
Purpose: Amend Ordinance  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**AN ORDINANCE AMENDING CHAPTER 392-4 and 392-12 OF THE CODE OF THE BOROUGH OF DUMONT, "SWIMMING POOLS," IN ORDER TO STRENGTHEN CERTAIN SAFETY REGULATIONS AND REVISE THE FEE FOR A SWIMMING POOL PERMIT**

WHEREAS, the Borough Council has determined that Chapter 392 of the Code of the Borough of Dumont, entitled "Swimming Pools," needs amending to strengthen safety regulations and lessen the risk of certain safety hazards that are inherent with the operation of swimming pools, and to revise the fee for a swimming pool permit;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Dumont, County of Bergen and State of New Jersey, that Chapter 392 of the Code of the Borough of Dumont, New Jersey, entitled "Swimming Pools," shall be amended as set forth herein:

**SECTION ONE:**

Section 392-4 of the Code of the Borough of Dumont, "Application for Permit, Fees, Accompanying Data," is hereby amended as follows:

- F. A fee of \$150.00 for any above-ground pool, and \$75.00 for the first \$1,000 or fraction thereof, plus \$10.00 for each additional \$1,000 or fraction thereof, of the estimated cost of construction for any in-ground pool.

**The remainder of § 392-4 shall remain unchanged.**

**SECTION TWO:**

Section 392-12 of the Code of the Borough of Dumont, "Safety Regulations," is hereby amended as follows:

**§ 392-12 Safety Regulations.**

- A. Every swimming pool having a depth of 18 inches below the level of the land surrounding the pool, and above-surface pools of a height of 18 inches or greater, shall be completely surrounded by a fence or wall of substantial construction, not less than six feet in height, which shall be constructed so as not to have openings, holes, or gaps larger than two inches in dimension, except for doors and gates. Such fence and any gate shall be so designed, constructed and maintained as to prevent access to the pool by children at any time except when the pool is in use under the supervision of the possessor of the pool or by permission of the owner.

**The remainder of § 392-12 shall remain unchanged.**

**SECTION THREE: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

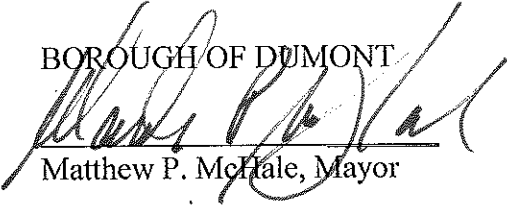
**SECTION FOUR: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.


**SECTION FIVE: EFFECTIVE DATE**

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

BOROUGH OF DUMONT

  
Matthew P. McHale, Mayor

ATTEST:

  
Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



**2010  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
CASPARE	✓			
FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Offered by: Zamechansky  
 Seconded by: Freeman

Ordinance No. 1418  
 Date: September 21, 2010  
 Page: 1 of 3  
 Subject: Engineered Lumber  
 Purpose: Reflective Symbol Required  
 Account No. \_\_\_\_\_  
 Contract No. \_\_\_\_\_  
 Dollar Amount: \_\_\_\_\_  
 Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**ORDINANCE AMENDING SECTION 182-2 OF THE CODE OF THE BOROUGH OF  
DUMONT AND REQUIRING A REFLECTIVE SYMBOL ON STRUCTURES  
USING ENGINEERED LUMBER**

WHEREAS, much new construction, both residential and commercial, consists of engineered lumber, in the form of prefabricated I-joists, truss rafters and similar materials, and

WHEREAS, many types of engineered lumber burn at a faster rate than other types of lumber thereby creating, in many cases, unexpected problems for firefighters; and

WHEREAS, in fighting fires, time being of the essence in saving lives and property, and

**WHEREAS**, it is imperative for firefighters and others to know the type of materials used in the construction of a structure;

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

**SECTION I - DEFINITIONS** As used in this chapter, the following terms shall have the meanings indicated:

**ENGINEERED LUMBER** – prefabricated I-joists, truss joists, truss rafters, and laminated beams and studs.

**REFLECTIVE SYMBOL** – An emblem made of reflective material, in the shape and form designed by the Dumont Fire Department, containing information identifying a structure as containing engineered lumber.

**STRUCTURE** – A combination of material to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

#### **SECTION II.**

The Borough Construction Official shall determine if a structure contains engineered lumber. All structures containing engineered lumber must have a reflective symbol affixed to an electrical meter serving the structure. The reflective symbol shall be applied by the owner/contractor and shall be a condition of the issuance of a Certificate of Occupancy. The notarized affidavit must be signed by the owner and filed with a permit before the issuance of a Certificate of Occupancy.

#### **SECTION III.**

The reflective symbol shall be in the form designed by the Dumont Fire Department and will contain lettering to identify the location of any engineered lumber in the structure.

**ENGINEERED LUMBER** – prefabricated I-joists, truss joists, truss rafters, and laminated beams and studs.

**REFLECTIVE SYMBOL** – An emblem made of reflective material, in the shape and form designed by the Dumont Fire Department, containing information identifying a structure as containing engineered lumber.

**STRUCTURE** – A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

#### **SECTION IV.**

The Borough Construction Official shall determine if a structure contains engineered lumber. All structures containing engineered lumber must have a reflective symbol affixed to an electrical meter serving the structure. The reflective symbol shall be applied

by the Construction Official and shall be a condition of the issuance of a Certificate of Occupancy.

**SECTION V.**

The reflective symbol shall be in the form designed by the Dumont Fire Department and will contain lettering to identify the location of any engineered lumber in the structure.

**SECTION VI.**

This chapter shall apply to all structures, whether residential, commercial or otherwise, including structures existing at the time of the effective date of this ordinance.

**SECTION VII.**

This chapter shall be enforced by the Construction Official of the Borough of Dumont.

**SECTION VIII.**

Any person violating this ordinance by refusing to use the reflective symbol or by removing or tampering with the reflective symbol shall be subject to a fine in the amount of \$2000.00 per violation. Each day that a violation continues shall be deemed to be a separate and distinct offense.

**SECTION IX.**

All ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

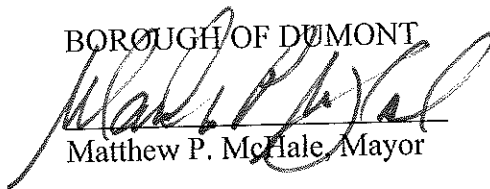
**SECTION X.**

If any provision of this ordinance shall be found invalid, for any reason, by the final judgment of the court of competent jurisdiction, the invalidity of such provision shall not affect the remaining provisions of this ordinance, which shall be severable there from.

**SECTION XI.**

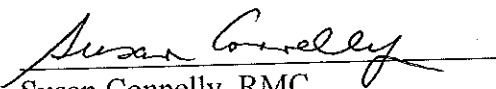
This ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF DUMONT



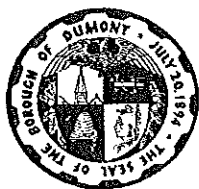
Matthew P. McHale, Mayor

ATTEST:



Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



**2010**  
**BOROUGH OF DUMONT**  
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MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
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FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Ordinance No. 1419  
Date: September 21, 2010  
Page: 1 of 3  
Subject: Virginia, New Milford, Washington Avenue Intersection  
Purpose: Amend Traffic Regulations  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Offered by: Stylianou  
Seconded by: Carrick

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by: Susan Connelly

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

**TRAFFIC REGULATIONS AMENDING CHAPTER 21 TRAFFIC AND PARKING OF THE DUMONT CODE AS RELATES TO THE RE-CONFIGURED VIRGINIA, NEW MILFORD, WASHINGTON AVENUE INTERSECTION**

WHEREAS, it has been requested by the Bergen County Engineer that the Mayor and Council amend Chapter 21 as relates to the re-configured Virginia, New Milford and Washington Avenue intersection in order to establish regulatory compliance and necessary parking and traffic regulations to insure the safety of motorists and pedestrians; and

WHEREAS, it is the express purpose of this ordinance to regulate traffic and parking

and generally to promote, preserve, and protect the peace, good order, comfort, convenience, safety, and welfare of the citizens and inhabitants of the Borough.

**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 21, TRAFFIC AND PARKING of the Borough of Dumont Code shall be amended as hereinafter provided:

**Section I-Stopping and Standing Prohibited**

Chapter 21, Article II, section 4.1 be and is hereby amended to read:

No person shall stop or stand a vehicle at any time upon any of the following named streets, portions of streets or designated points:

Name of Street	Side	Location
New Milford Avenue	Northerly	from the westerly curb line of Washington Avenue to Congress Ave.
New Milford Avenue	Southerly	from the westerly curb line of Washington Avenue to a point two Hundred thirty feet westerly thereof.
Virginia Avenue	Northerly/Southerly	from the easterly curb line of Washington Avenue to points one hundred forty feet Easterly thereof.
Washington Avenue	Westerly	from the northerly curb line of New Milford Avenue to a point two hundred forty five Feet northerly thereof.
Washington Avenue	Easterly	from the northerly curb line of Virginia Avenue to Druid Avenue.

**Section II-Left Turn Prohibited**

Chapter 21, Article IV, section 12.2 be and is amended to read:

The driver of any vehicle shall not turn such vehicle so as to make a left turn at the following locations:

Name of Street	Side	Location
New Milford Avenue	Northerly	from the driveway of 8 New Milford Avenue to eastbound New Milford Avenue

**Section III-Bus Stops Designated**

Chapter 21, Article VII, section 16 be and is hereby amended to read:

The following locations are hereby designated and established as bus stops:

Name of Street	Side	Location
Washington Avenue	Easterly	from the southerly curb line of

Washington Avenue

Westerly

Virginia Avenue to Washington Ct  
from the southerly curb line of  
New Milford Avenue to a point  
One Hundred Thirty Five feet  
Southerly thereof.

**Section IV-Lane Reservation Established**

Chapter 21, Article IV, section 12.4 shall hereby be established to read:

The following roadways shall have designated lanes reserved for turn only activity:

Name of Street	Direction	Lane	Turn Activity
New Milford Avenue	Eastbound	Left	Left turn only
Virginia Avenue	Westbound	Left	Left turn only

**Section V-Enforcement and Penalty**

This Ordinance and all its sections and provisions shall be enforced by the Dumont Police Department or any other law enforcement agency having jurisdiction to enforce traffic provisions of the State of New Jersey. Violations of this section shall be punishable as set forth in Title 39 of the New Jersey Statutes Annotated, in the discretion of the Municipal Court Judge.

**Section VI-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.

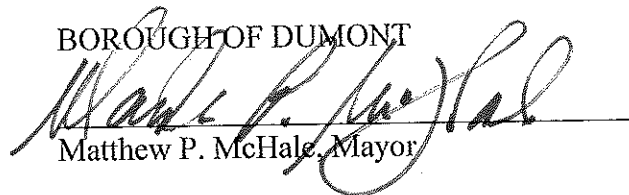
**Section VII-Severability.**

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

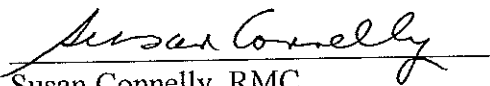
**Section VIII-Effective Date.**

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

BOROUGH OF DUMONT

  
Matthew P. McHale, Mayor

ATTEST:

  
Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



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MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Ordinance No. 1420  
Date: September 21, 2010  
Page: 1 of 3  
Subject: Johnson & W. Madison Avenue Intersection  
Purpose: Traffic and Parking Changes  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Offered by: Zamechansky  
Seconded by: Freeman

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**AN ORDINANCE AMENDING CHAPTER 21, SECTION 4 OF THE TRAFFIC  
AND PARKING OF THE BOROUGH OF DUMONT CODE**

WHEREAS, it has been reported to the Mayor and Council that Chapter 21, Section 4, as currently constituted, is inadequate and does not account for all necessary parking regulations to ensure the safety of motorists and pedestrians; and

**WHEREAS**, it is the express purpose of this ordinance to regulate parking and generally to promote, preserve and protect the peace, good order, comfort, convenience, safety and welfare of the citizens and inhabitants of the Borough.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 21, Section 4 TRAFFIC AND PARKING of the Borough of Dumont Code shall be amended as hereinafter provided:

Parking shall be prohibited at all times at the following locations:

Name of Street	Side	Location
Johnson Avenue	West	From West Madison Avenue and(north of W Madison) a point 120 feet northerly there from.
Johnson Avenue	East	From West Madison Avenue and (north of W Madison) a point 100 feet northerly there from.
Johnson Avenue	East	From West Madison Avenue and a (south of W. Madison point 110 feet southerly there from.

Signs and Markings to effectuate this section:

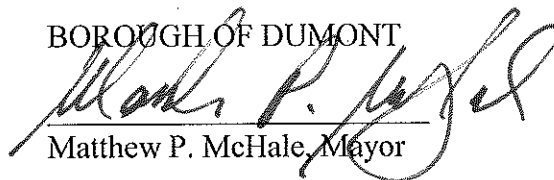
Johnson Avenue	East	28 feet south of W. Madison	R7-1X	No Parking Both Arrow
Johnson Avenue	East	100 feet south of W. Madison	R7-1L	No Parking Left Arrow
Johnson Avenue	East	30 feet north of W. Madison	R7-1X	No Parking Both Arrow
Johnson Avenue	East	90 feet north of W. Madison	R7-1R	No Parking Right Arrow
Johnson Avenue	West	50 feet north of W. Madison	R10-6L	Stop Here On Red
Johnson Avenue	West	110 feet north of W. Madison	R7-1L	No Parking Left Arrow
Johnson Avenue	West	50 feet north of W. Madison	Paint	Painted 12' Stop Bar in Road

**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.

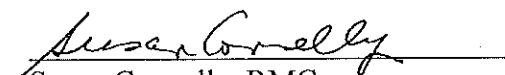
**Effective Date.** This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT



Matthew P. McHale, Mayor

ATTEST:



Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010



**2010  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
CASPARE	✓			
FREEMAN	✓			
MANNA				✓
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5			1

Ordinance No. 1421  
Date: September 21, 2010  
Page: 1 of 5  
Subject: Various Capital Improvements  
Purpose: Bond Ordinance  
Account No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Dollar Amount: \$850,000  
Prepared By: John Hudak, Esq.

Offered by: Caspere  
Seconded by: Freeman

Certified as a true copy of an Ordinance adopted at 2<sup>nd</sup> reading by the Borough of Dumont on the above date at a Regular Meeting by:

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

**BOND ORDINANCE TO PROVIDE FOR VARIOUS GENERAL IMPROVEMENTS,  
PROVIDING AN APPROPRIATION OF \$850,000 THEREFOR AND AUTHORIZING  
THE ISSUANCE OF \$807,500 OF BONDS AND/OR NOTES OF THE BOROUGH FOR  
PAYING THE COST OF SAID IMPROVEMENTS AUTHORIZED TO BE  
UNDERTAKEN IN AND BY THE BOROUGH OF DUMONT, IN THE COUNTY  
OF BERGEN, NEW JERSEY**

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

Section 1. The additional improvements and purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Borough of Dumont, County of Bergen, New Jersey (hereinafter referred to as the "Borough"), as supplemental improvements. For the supplemental improvements or purposes set forth in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$850,000, being inclusive of all appropriations heretofore made therefor, including the sum of \$42,500 as the down payment from the Capital Improvement Fund, or other legally available funds of the Borough. The down payment is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Borough and is currently available for down payment or capital improvement purposes, as required by the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1 et seq. (the "Law").

Section 2. For the financing of the supplemental improvements or purposes and to meet the part of the \$850,000 appropriation not otherwise provided hereunder, negotiable bonds of the Borough are hereby authorized to be issued in a principal amount not to exceed \$807,500 pursuant to the Law. In anticipation of the issuance of bonds, negotiable notes of the Borough in a principal amount not exceeding \$807,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes authorized herein shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$807,500, the moneys raised by the issuance of the bonds shall, to not less than the amount of such excess, be applied to the payment of the notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Law. Each of the notes shall be signed and shall be under the seal of the Borough and attested as permitted by law. The appropriate Borough officers are hereby authorized to execute the notes and to issue the notes in such form as may be adopted in conformity with the Law. The power to determine all matters in connection with this ordinance and also the power to sell the notes is hereby delegated to the chief financial officer of the Borough (the "Financial Officer"), who is hereby authorized to sell the notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for which said and obligations are to be issued are as follows:

Improvement/Acquisition	Estimated Cost	Down Payment (Capital Improvement Fund)	Maximum Amount of Bonds/Notes	Useful Life (Years)
1.) Pumper Type Fire Truck and various related equipment 2.) Computer and information technology equipment for the Police Department 3.) Acquisition of and installation of a Generator for the Department of Public Works 4.) Acquisition of three (3) 36" Push Mowers for the Department of Public Works, 5.) Acquisition of enclosed 24 foot trailer for Department of Public Works 6.) Turn out gear (25 sets) and radios for Fire Department 7.) Kitchen repairs and acquisition of computer for Senior Center, and 8.) Acquisition of 16" turf mower, all of the forgoing to include all work, equipment, costs, improvements and appurtenances necessary therefore or related thereto.	\$850,000	\$42,500	\$807,500	10.09

Section 4. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness is within the limitations of the Law, N.J.S.A. 40A:2-22, and taking into consideration the amount of the obligations authorized for each purpose, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, the average useful life is 10.09 years.

(c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Borough 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, and such Statement shows that the gross debt of the Borough determined as provided in the Law is increased by this bond

ordinance by \$807,500 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

(d) Amounts not exceeding \$44,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Law may be included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 5. Any grants or other monies received for the purpose described in Section 3 hereof, in addition to the grants expressly appropriated therein, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The governing body of the Borough hereby covenants on behalf of the Borough to take any action necessary or refrain from taking the action in order to preserve the tax exempt status of any debt obligations authorized hereunder and issued as debt obligations the interest on which is exempt from federal tax under the Internal Revenue Code of 1986, as amended ("Code") as is required under the Code, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on said obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other revenues of the Borough, the Borough shall be obligated to levy *ad valorem* taxes upon all taxable property within the Borough for the payment of the obligations and interest thereon without limitation as to rate or amount.

Section 8. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Clerk of the Borough and is available there for public inspection.

Section 9. The Borough reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds and/or notes authorized by this ordinance with the proceeds of such bonds and/or notes. No funds from sources other than the bonds and/or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the

issuance of bonds and/or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

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

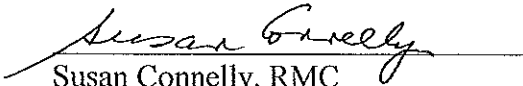
Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Law.

BOROUGH OF DUMONT

  
Matthew P. McHale, Mayor

ATTEST:

  
Susan Connelly, RMC  
Borough Clerk

Introduced: August 17, 2010  
Adopted: September 21, 2010