



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
DECEMBER 5, 2016
8:00 PM**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL

Mayor Carlos Rendo
Council President Corrado Belgiovine
Councilwoman Jeanine Chiavelli
Councilwoman Jacqueline Gadaleta
Councilwoman Angela Hayes
Councilwoman Kristy Herrington
Councilman Thomas Panso

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

November 21, 2016 (Open)

MAYOR'S COMMENTS

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

ORDINANCES

Introduction	Ordinance 16-20 An Ordinance Establishing Compliance with the International Property Maintenance Code for All Homes and Buildings within the Borough
Introduction	Ordinance 16-21 An Ordinance Updating Certain Fire Prevention Permit Fees of the Borough
Introduction	Ordinance 16-22 An Ordinance Updating Certain Board of Health Fees of the Borough

- Public Hearing Ordinance 16-10
 An Ordinance Establishing the Broadway Corridor South District within the Borough of Woodcliff Lake
- Public Hearing Ordinance 16-15
 An Ordinance to Vacate Entirety of Pickwick Lane in Favor of the Creation of a Utility Easement as Described Hereinto on Land Situated Near Property Known as Blocks 303 and 303.01 Located at Intersection with County Road (CR-73)

PUBLIC COMMENT

(limited to 5 minutes per speaker)

CONSENT AGENDA

- | | |
|-----------------------|--|
| Resolution No. 16-300 | Resolution Authorizing Payroll and Payment of Claims |
| Resolution No. 16-301 | Resolution Approving Change Order No. 1 for the 2016 Municipal Road Program |
| Resolution No. 16-302 | Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle 2014-2019 |
| Resolution No. 16-303 | Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgements for the Years 2015 and 2016 |
| Resolution No. 16-304 | Resolution Appointing Christopher Behrens as the Foreman of the Woodcliff Lake Department of Public Works in the Borough of Woodcliff Lake |
| Resolution No. 16-305 | Resolution Appointing David T. Linko as Lead Man of the Woodcliff Lake Department of Public Works in the Borough of Woodcliff Lake |
| Resolution No. 16-306 | 2016 Budget Transfers |
| Resolution No. 16-307 | Resolution Authorizing Tax Appeal Settlement in the Borough of Woodcliff Lake (Poller) |
| Resolution No. 16-308 | Resolution Awarding Professional Services Contract for Payroll Services in the Borough of Woodcliff Lake, Bergen County, New Jersey |
| Resolution No. 16-309 | Chapter 159 – Drunk Driving Enforcement Fund |

ADJOURNMENT

******Disclaimer******

Subject to Additions and/or Deletions

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 16-300

December 5, 2016

BE IT RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby ratified and approved:

Payroll Released 11/30/2016 - \$221,574.05

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$ 60,515.11
Affordable Housing:	\$ 2,770.59
Capital:	\$ 23,096.91
Escrow:	\$ 419.00

CERTIFICATION OF FUNDS

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of December 5, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

**RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE
2016 MUNICIPAL ROAD PROGRAM**

**RESOLUTION NO. 16-301
DECEMBER 5, 2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: 2016 Municipal Road Program
CONTRACTOR: AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011
CHANGE ORDER Nº: 1
AMOUNT OF CHANGE THIS RESOLUTION: \$3,160.00 (0.81% Increase)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

Dated: _____ **Certified:** _____
Treasurer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE 2014-2019

December 5, 2016
Resolution No. 16-302

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Woodcliff Lake Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Council of the Borough of Woodcliff Lake has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodcliff Lake, Bergen County, State of New Jersey herby recognizes the following:

1. The Borough of Woodcliff Lake Council does hereby authorize submission of a strategic plan for the Woodcliff Lake Municipal Alliance Grant for the fiscal year 2017 in the amount of:

DEDR	\$ 9,876.00
Cash Match	\$ 2,469.00
In-Kind	\$ 7,407.00

2. The Woodcliff Lake Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT
JUDGEMENTS FOR THE YEARS 2015 and 2016**

**RESOLUTION NO. 16-303
December 5, 2016**

WHEREAS, the owners listed below have won a Judgement adjusting their assessed value for the years 2015 and 2016; and

WHEREAS, this has resulted in their overpaying their property tax for years of 2015 and 2016 in the amounts listed below; and

WHEREAS, they has been awarded this judgment and therefore is entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the following overpayments:

<u>Block/Lot</u>	<u>Docket #</u>	<u>Owners</u>	<u>Amount</u>
1108/1	004360-2015	Kalb, Jill	\$2,133.50
2201.03/11	004357-2015	Bibi	\$2,893.54
1707/11.01	000881-2015	Linrick Realty	\$17,941.89

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION APPOINTING CHRISTOPHER BEHRENS AS THE FOREMAN OF THE WOODCLIFF LAKE
DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF WOODCLIFF LAKE**

**DECEMBER 5, 2016
RESOLUTION NO. 16-304**

WHEREAS, there is a need to appoint a Foreman of the Borough of Woodcliff Lake Department of Public Works; and

WHEREAS, upon the recommendation of the DPW Superintendent, Foreman and Borough Administrator, the Borough of Woodcliff Lake has determined that Christopher Behrens possesses the necessary skills and experience to hold the position; and

WHEREAS, Christopher Behrens' appointment shall be effective on January 1, 2017 with a salary to be set prior to said date. Such salary shall be in line with the current salary ordinance.

NOW THEREFORE, BE IT RESOLVED, that Christopher Behrens is appointed as Foreman of the Borough of Woodcliff Lake Department of Public Works. Such appointment shall be effective on January 1, 2017 in accordance with the terms and schedules contained within the salary ordinance, the policies of the Borough of Woodcliff Lake and the laws of the State of New Jersey.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION APPOINTING DAVID T. LINKO AS LEAD MAN OF THE WOODCLIFF LAKE DEPARTMENT
OF PUBLIC WORKS IN THE BOROUGH OF WOODCLIFF LAKE**

**DECEMBER 5, 2016
RESOLUTION NO. 16-305**

WHEREAS, there is a need to appoint a Lead Man of the Borough of Woodcliff Lake Department of Public Works; and

WHEREAS, upon the recommendation of the DPW Superintendent, Foreman and Borough Administrator, the Borough of Woodcliff Lake has determined that David T. Linko possesses the necessary skills and experience to hold the position; and

WHEREAS, David T. Linko's appointment shall be effective on January 1, 2017 with a salary to be set prior to said date. Such salary shall be in line with the current salary ordinance.

NOW THEREFORE, BE IT RESOLVED, that David T. Linko is appointed as Lead Man of the Borough of Woodcliff Lake Department of Public Works. Such appointment shall be effective on January 1, 2017 in accordance with the terms and schedules contained within the salary ordinance, the policies of the Borough of Woodcliff Lake and the laws of the State of New Jersey.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

2016 Budget Transfers

RESOLUTION NO. 16-306

December 5, 2016

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Gasoline	6-01-31-460-020	4,500.00	
Engineering -	6-01-20-165-020	5,000.00	
Financial Administration - Salaries and Wages	6-01-20-130-010	2,500.00	
General Administration - Other Expenses	6-01-20-100-020		12,000.00
Construction Code - Salaries and Wages	6-01-22-195-010	4,000.00	
Fire Prevention - Salaries and Wages	6-01-25-265-010		4,000.00
Buildings and Grounds - Other Expenses	6-01-26-310-020	2,000.00	
Buildings and Grounds - Salaries and Wages	6-01-26-310-010		2,000.00
TOTAL		18,000.00	18,000.00

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of December 5, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT
IN THE BOROUGH OF WOODCLIFF LAKE (POLLER)**

**RESOLUTION NO. 16-307
DECEMBER 5, 2016**

WHEREAS, it is upon the advice and recommendation of the Borough Tax Counsel and Tax Assessor to seek formal approval of the Stipulations of Settlement for the properties with matters pending before the Tax Court of New Jersey; to wit:

1. Block 2101, Lot 8.02 on the Borough Tax Map owned by plaintiff Wayne & Wendy Poller for the Tax Years 2014, 2015, and 2016. The approximate refund for this matter is \$3,669.72.

WHEREAS, it is in the best interest of the Borough to approve the proposed Stipulation of Settlements based upon the uncertainty and cost of litigation as well as fair market data produced.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment for the above stated Stipulations of Settlement.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR PAYROLL SERVICES
IN THE BOROUGH OF WOODCLIFF LAKE, BERGEN COUNTY, NEW JERSEY**

**RESOLUTION NO. 16-308
DECEMBER 5, 2016**

WHEREAS, there is a need for the Borough of Woodcliff Lake to retain a payroll service company to perform all necessary worked involved and related to the Borough of Woodcliff Lake's payroll; and

WHEREAS, Balance Point Payroll, Inc. of Glen Rock New Jersey possesses the necessary skills and experience to provide such services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts for professional services without competitive bids and provides that the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest to an agreement between the Borough of Woodcliff Lake and Balance Point Payroll, Inc., pursuant to the terms contained in and exhibits attached to the contract for service as provided by the applicant; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Woodcliff Lake.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting December 5, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

CHAPTER 159 – DRUNK DRIVING ENFORCEMENT FUND

RESOLUTION NO. 16-309

December 5, 2016

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts; and

WHEREAS, the Borough of Woodcliff Lake has received \$5,000.00 from NJ Highway Safety- Drive Sober or Get Pulled Over Grant (12/09/16 to 1/1/17) and wishes to amend its 2016 Budget to include this amount as a revenue.

NOW, THEREFOR BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2016 Budget in the sum of \$5,000.00 which is now available as a revenue from State and Federal Grants off-set by revenue;

BE IT FURTHER RESOLVED, that a like sum of \$ 5,000.00 and the same is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by Revenues
Drive Sober or Get Pulled Over Grant

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of December 5, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-20

**AN ORDINANCE ESTABLISHING COMPLIANCE WITH THE INTERNATIONAL PROPERTY
MAINTENANCE CODE FOR ALL HOMES AND BUILDINGS WITHIN THE BOROUGH**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has recognized a need to have all homes and buildings in the Borough to comply with the most recent editions of the International Property Maintenance Code; and

WHEREAS, to update the building construction code to include such compliance, Chapter 114 of the Borough Code shall be amended to reflect same; and

WHEREAS, to update the fire enforcement code to include such compliance, Chapter 178 of the Borough Code shall be amended to reflect same; and

WHEREAS, to update the property maintenance code to include such compliance, Chapter 265 of the Borough Code shall be amended to reflect same.

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

Section 1: That Chapter §114-4 (A) of the Building Code is amended to include compliance with the most recent editions of the International Property Maintenance Code and shall now read as:
§113-4 Adoption of standards.

- A. The regulations contained in the current state Building Code and the most recent edition of the International Property Maintenance Code are hereby adopted as the regulations governing the construction of buildings and other structures in the Borough; and it shall be unlawful to erect or construct any building or structure in the Borough in violation of or without complying with the appropriate provisions of such regulations. Copies of such code shall be kept on file in the Borough Clerk's office for inspection, and three copies shall be furnished to the Construction Code Official.

Section 2: That Chapter §178-11 of the Fire Enforcement code is amended to include compliance with the most recent editions of the International Property Maintenance Code. The chapter is further amended to assure that the fire code shall apply to all homes within the Borough. As such, Chapter §178-11 shall now read as:

§178-11 Duties of the enforcing Agency

The local enforcement agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it as well as the codes contained within the most recent edition of the International Property Maintenance Code in all buildings against owners and tenants therein (including tenancies created by the rental of the areas, rooms or space within the buildings, structures and premises) within the established boundaries of the Borough of Woodcliff Lake and shall faithfully comply with the requirements of the Uniform Fire Safety Act , the Uniform Fire Code and the most recent edition of the International Property Maintenance Code.

Section 3: That Chapter §256-5 of the Property Maintenance Code is amended to include compliance with the most recent editions of the International Property Maintenance Code and shall now read as:

§ 265-5 Applicability.

Every residential and nonresidential building and the premises on which it is situated, in the Borough of Woodcliff Lake, previously or presently used for dwelling, commercial, business or industrial occupancy, shall comply with the provisions of this code as well as the provisions contained within the most recent editions of the International Property Maintenance Code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or for the installation or repair of equipment or facilities prior to the effective date of this code. This code establishes minimum standards for the initial and continued occupancy and use of all such buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained herein, except as provided in § 265-6.

Section 4: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 5: 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, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 6. 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 7: This ordinance shall take effect upon passage and publication according to law.

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-21

**AN ORDINANCE UPDATING CERTAIN FIRE PREVENTION PERMIT FEES OF THE BOROUGH
OF WOODCLIFF LAKE**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has recognized a need to update certain fire prevention fees within the Borough.

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

Section 1: That the Borough's Fee Ordinance codified in Chapter §163-1 is amended for the following Fire Prevention permit fees:

Non-owner-occupied one- and two-family dwellings	\$100.00
Condos/townhouses, each up to 20	\$35.00 per unit
Condos/townhouses, over 20 units	\$35 per unit for the first 20 units and \$15.00 for every unit thereafter

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: 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, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. 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 5: This ordinance shall take effect upon passage and publication according to law.

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-22

AN ORDINANCE UPDATING CERTAIN BOARD OF HEALTH FEES OF THE BOROUGH

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has recognized a need to update certain Board of Health fees within the Borough.

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

Section 1: That the Borough's Fee Ordinance codified in Chapter §163-1 is amended to change and add the following Board of Health fees:

Restaurants by seating capacity	
1-50	\$250.00
51-150	\$500.00
Over 150	\$700.00
Pools (indoor)	\$600.00
Pools (seasonal)	\$300.00
Deli/Convenience Stores	\$250.00 per unit
Nursing Homes/Assisted Living by Capacity	
1-12	\$300.00
13-50	\$600.00
Over 50	\$1,200.00
Take Out Establishments	
Year Round	\$250.00
Seasonal	\$125.00
Hotels	\$2,250.00
Supermarkets	\$1,550.00
Vending Machines	\$30.00
2 nd & additional	\$15.00
Ice-cream Trucks	\$75.00

Mobile Vendor	\$125.00
Non-Profit Organizations	\$100.00
Day Care Facilities	\$400.00
Nursery Schools	\$125.00
Temporary food license	
1-3 days	\$75.00
4-7 days	\$100.00
Massage Therapist (part of Spa/exercise)	\$200.00
Pre-packaged candy counter	\$100.00

Section 2: The terms of this Ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: 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, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. 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 5: This Ordinance shall take effect upon passage and publication according to law.

Date: December 5, 2016

Attest: Deborah A. Dakin, RMC, CMR
Borough Clerk

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-10

AN ORDINANCE ESTABLISHING THE BROADWAY CORRIDOR SOUTH DISTRICT WITHIN THE BOROUGH OF WOODCLIFF LAKE

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

Hereto introduced on the 10th day of November, 2016 at 8:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 5th day of December, 2016 at 8:00 PM or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said Ordinance be further considered.

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has recognized a need to create a special district known as the Broadway Corridor South (BC-S) District and to adopt rules and regulations for developing same.

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

Section 1: That the chapter title of Article VI of § 380 is amended to include the "BC-S" designation for the Broadway Corridor South District and shall now read as:

Article VI: Districts (B-1, B-2, B-3, BC-S)

Section 2: That the following subchapters, § 380-047.A et. seq., shall be added to govern and control the Broadway Corridor South District and be designated as follows:

§ 380-047A The Broadway Corridor South District

§ 380-047A.1 Definitions :

(Any definition not provided in this ordinance shall refer to the definitions in the Woodcliff Lake Zoning Ordinance. As used in this article, the following terms shall have the meanings indicated)

General Store: A retail establishment where the primary business is the sale of goods, products or merchandise.

Financial Institution: A company engaged in the business of dealing with monetary transactions, such as deposits, loans investments and currency exchange excluding bail bonds and check cashing businesses.

Fast Food Restaurant: Any establishment whose principal business is the sale of foods or beverages in a ready to consume state form consumption within the building or off premises and whose principal means of operation includes:

- Sale of foods or beverages in paper, plastic or disposable containers or,
- Service of food and beverages directly to a customer in a motor vehicle;

Drive Thru Restaurant: Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready to consume state and whose design, method of operation or any portion of whose business is such that foods, frozen desserts or beverages are served directly to the customer in a motor vehicle, either by a car hop or by other means which eliminate the need for the customer to exit the motor vehicle, or where the consumption of food, frozen desserts or beverages within a motor vehicle parked on the premises is allowed, encouraged or permitted.

Shared Parking Secondary Use: For a shared parking reduction of up to 50 percent of the required parking for the secondary use on an application with more than one use being proposed, the secondary use would be defined as the use with the fewer number of required spaces.

§ 380-047A.2 Permitted Uses:

- A. Within the Broadway Corridor South (BC-S) District, no building, structure, area, lot or land shall be used in whole or in part for anything other than one or more of the permitted uses expressly set forth herein or Accessory Uses subordinate to the Permitted Uses and Conditional Uses expressly set forth herein.
- B. Any use not expressly identified as a Permitted Use is expressly prohibited in this Article. Permitted uses include the following:
 - i. Retail / Commercial / Office:
 - a. Stores including restaurants, eating and drinking establishments, cafes, general stores, shops, bakery, delicatessen, grocery store/ supermarket, book and stationery, florist, as freestanding structures or as a liner around parking structures;
 - b. Shops for personal service and repairs, including beauty and barber shops, health clubs, day spa, shoe repair, appliance repair, locksmiths, and photography establishments;
 - c. Businesses including professional and executive offices and personal business service establishments such as travel agencies and real estate sales offices;
 - d. Professional and business office including general office, medical, physical therapy, outpatient care facilities, permitted as freestanding structures or as a liner around or over a parking structure;
 - e. Banks / Financial institutions;
 - f. Retail, commercial / Office Space is required on the first floor;
 - ii. Residential:
 - a. Multi-family, apartments, townhomes, lofts, residential over retail/commercial, residential lining or over parking;
 - b. Live work studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, antique dealers and

designers of ornamental and precious jewelry are permitted on the first floor only;

- iii. Parks and Open Space:
 - a. Parks, playgrounds, public schools and other municipal governmental services or uses;
 - b. Reservoir and water sheds;
 - c. Lands owned by a public or privately owned utility and maintained in a natural, vegetated state in
 - d. connection with a public water supply on which no other use or structure is located which is not directly related to the maintaining of such public water;

C. Other Provisions:

- i. Any use not specifically stated as a Permitted Use is not permitted in the BC-S District;
- ii. Retail/Commercial/Office uses are required to front on Broadway but are also permitted on other floors;
- iii. Residential units are not permitted on the first floor facing Broadway;
- iv. All buildings shall be designed with a flat roof;
- v. A maximum of 5% of the units can be studio units;
 - a. When the formula results in a fraction of a unit exceeding 0.49, a full unit shall be permitted;
- vi. No more than two bedrooms are permitted;
- vii. Existing nonconforming uses or structures are permitted to continue as per N.J.S.A. 40:55D-68;
- viii. Inclusionary Affordable Housing:

Irrespective of any conflict with the Borough Code, any residential development in the BC-S Zoning District comprised of five or more units must include an affordable housing component which is consistent with NJAC 5:80.26.1 et seq.

- a. Residential units offered for sale shall include a 20% set aside;
- b. Residential units offered for rent shall include a 15% set aside;
- c. Set asides which result in a fraction of 0.5 or more shall increase their set aside by one (1) unit.
- d. For those set asides which result in a fraction of under 0.5, and for those developments which total four (4) units or less without an inclusionary component, a development fee in accordance with the Affordable Housing Development Fee ordinance of the Borough Code set forth at section 380 – 70 A (1) (a) shall apply.

§ 380-047A.3 Accessory Uses:

- A. An Accessory Use shall be permitted, provided that:
 - i. The use is incidental and subordinate to the primary Permitted Use; and
 - ii. Not in violation of the provisions set forth hereafter;
- B. Parking as an accessory use to a Permitted Use;
 - i. Parking shall not be permitted between the principal or conditional use and Broadway;
 - ii. Parking located on the side of a principal or conditional use shall be screened from Broadway per the Design Standards of this section;

- C. Lobbies on the ground floor providing access to residential, commercial or office uses on the upper floors;
 - i. Lobbies cannot be greater than 25% of the total first floor area.
- D. Loading spaces and docks, recycling and refuse storage areas;
- E. Residential, commercial, office and service uses shall be permitted provided they are subordinate to the principle Permitted Use including;
 - i. Management Offices;
 - ii. Conference Center / Meeting Rooms;
 - iii. Fitness Center;
 - iv. Walk-up ATM;
- F. Accessory structures shall comply in all respects with the requirements of the principle structure;
 - i. No accessory structure shall be located closer to the street right of way line than the required front yard setback of the principle use;
 - ii. No portion of an accessory structure shall include living quarters;
- G. When an accessory structure is attached to the principal structure, it shall comply in all respects with the requirements applicable to the principal structure;
- H. No accessory structure shall be constructed or placed on any lot unless the principal structure is first constructed or placed upon said lot;
- I. In no event shall the height of an accessory structure exceed the height of the principal building;

§ 380-047A.4 Conditional Uses:

The following conditional uses shall be subject to site plan approval by the Planning Board:

- A. Houses of worship and related religious uses, subject to the following standards:
 - i. Min. lot size: Three (3) acres
 - ii. Min. Lot width: 400 feet
 - iii. Min. Front yard setback: 50 feet each
 - iv. Min. Side yard setback: 50 feet each; 100 feet both
 - v. Min. Rear yard: 50 feet
 - vi. Max. Height: 2 1/2 stories or 30 feet
 - vii. Max. building coverage: 15%
 - viii. Max. impervious surface coverage: 30%
 - ix. Min. Parking: One space for each three seats, plus one space per staff member

§ 380-047A.5 Prohibited Uses:

Any uses other than those permitted by § 380-047.01 are prohibited. Without in any manner limiting the generality and prohibition of this section, nothing contained in this section shall be construed to permit any of the following uses in the BC-S District:

- A. Automotive uses, such as body and fender shops, automobile glass shops, radiator repair shops, muffler shops, transmission repair shops, new and used car lots, junkyards and automobile wrecking yards;
- B. Car washing establishments;
- C. Commercial amusements, either as a principal or accessory use, except as permitted in Chapter 92
- D. Amusement Devices, of the Code of the Borough of Woodcliff Lake;
- E. Commercial storage or warehouses;
- F. Bail Bonds / Check Cashing;
- G. Discount stores and auction houses;

- H. Dog kennels, veterinary practices or animal hospitals;
- I. Drive-thru's
- J. Funeral parlors;
- K. Hotel / motels;
- L. Manufacture, assembly or treatment which is not clearly incidental to a permitted retail business use conducted on premises;
- M. Massage parlors, saunas or steam baths;
- N. Motorcycle and motorbike sales and service establishments;
- O. Moving and storage warehouse establishments;
- P. Nursery schools and day care centers;
- Q. Parking or storage of trailers, trucks and maintenance vehicles of any type;
- R. Parking located on the property between the principal use and Broadway;
- S. Repair or machine shops, unless clearly accessory to a permitted retail use conducted on premises;
- T. Residential with more than two bedrooms;
- U. Residential uses on the first floor other than those permitted as accessory uses;
- V. Processing, assembling, servicing or storage of materials, merchandise, supplies or displays shall be prohibited in front, side or rear yards or any area of open space, including any aisle, sidewalk, walkway, driveway or access way;
- W. Self-operated and coin-operated dry-cleaning establishments and Laundromats, and any other self-operated establishment;
- X. Service stations (gasoline) for motor vehicles;
- Y. Stone yard or monument works;
- Z. Woodworking or metalworking shops;
- AA. Airplane and helicopter takeoff and landing areas;
- BB. Any business involving the sale of fuel;
- CC. Lots used for drive-through access;
- DD. Fast food restaurants

§ 380-047A.6 Dimensional Requirements:

- A. All parcels, lots and structures in the BC-S District shall conform to the following requirements:
 1. Minimum Frontage on Broadway: 200 feet
 2. Minimum Lot Depth: 100 feet
 3. Minimum Lot Area: 21,780 square feet
 4. Maximum Building Coverage: 60%
 5. Maximum Lot Coverage: 80% (subject to meeting the required 30' buffer to a residential zone)
 6. Maximum Density: 18 units per acres
 7. Minimum Square Footage for Residential:
 - Studios: 550 sf (Maximum 5% of units are permitted to be studios)
 - One bedroom/one bath: 750 sf
 - Two bedroom/one bath: 960 sf
 - Two bedroom/two bath: 1,000 sf

- 8. Minimum Building Stories/ 1 story / 24 feet Height:
- 9. Maximum Building Stories / 3 stories / 42 feet Height:
- 10. Minimum Floor Height: 16 feet floor to ceiling (permits ductwork)
9 feet floor to ceiling for residential
- 11. Minimum Setback Requirements:
 - a. Min. Front Yard: 36 feet from centerline of Broadway to the building façade
 - b. Min. Side Yard: 0 feet for internal lots
30' adjacent to existing residential
36' from centerline of roadway for corner lots
 - c. Min. Rear Yard: 30' from existing residential

§ 380-047A.7 Parking Requirements:

A. Parking Requirements: The minimum parking requirements which meet the Density, Area, Yard and Height Requirements for the BC-S Zone are as follows:

<i>Use</i>	<i>Parking Ratio</i>
Residential:	
○ Studio	1.0 sp per unit.
○ One Bedroom	1.8 sp per unit
○ Two Bedroom	2.0 sp per unit
Retail / Commercial:	3.5 sp/1,000 GFA
Restaurant:	1.0 sp/2 seats
Medical Office:	4.0 sp/1,000 GFA
General Office:	3.5 sp/1,000 GFA
Civic, Cultural, Institutional:	1.0 sp/4.0 seats

Notes:

- a. When the formula or parking spaces required results in a fraction of a space exceeding 0.49, a full space shall be required;
 - b. Gross Floor Area is the total interior floor area of all floors determined by measuring the inside dimension of the outside walls of the structure;
 - c. Up to 10% of the required parking stalls may be designated for compact cars;
 - d. Off-street tandem parking is prohibited;
 - e. Outdoor seating areas do not count toward the required parking ratios;
 - f. Accessory uses do not require parking;
 - g. All surface parking shall be screened based on the Design Standards indicated in the Streetscape section of this Redevelopment Plan;
 - h. For Civic Uses without seating, the Retail/Commercial parking requirements shall apply;
 - i. Outdoor patio / decks for seating does not count toward the required parking ratio;
- B. Shared Parking: Joint use of up to 50 percent of required parking spaces for the secondary use, may be considered by the Planning Board for two or more uses located on the same

parcel, provided the developer can demonstrate that the uses will not substantially overlap in hours of operation or in demand for the shared spaces.

Any shared parking shall require a Shared Parking Analysis based on the ULI Shared Parking Software or a comparable software model, and shall be prepared by a credible expert, such as an experienced parking or land use consultant, planner, architect or engineer;

- C. On-Street Parking Spaces: In the event on-street parking is provided along Broadway, on-street parking spaces located along the portion of a public street(s) abutting the use may be counted toward the minimum number of parking spaces for the retail / commercial uses only as required by this ordinance;
 - a. On-street parking spaces must be located on the same side(s) of the street as the use and have a dimension of at least 22' feet in length;
- D. Additional Parking Provisions: For all other parking provisions not identified in this section refer to Chapter 292 of the Borough of Woodcliff Lake Zoning Ordinance;

§ 380-047A.8 Screening Requirements:

The provisions of this section shall be met at the time land is developed or the land and structures are redeveloped. For any screening requirements not identified in this section refer to the Borough of Woodcliff Lake Zoning Ordinance.

- A. Off Street Parking: All proposed off street parking areas with twenty five (25) spaces or more, shall be screened from all public streets with the following criteria:
 - i. A four foot (4'-0") minimum planting strip shall be located between the back of the public sidewalk and the parking area;
 - ii. The planting strip shall be planted with evergreen shrubs at least three feet high (3'-0") at the time of planting which are a species that will form a year round dense screen. The maximum height for planting should be maintained at no greater than 4'-0" in height;
 - iii. Perimeter trees shall be planted at no greater than twenty five foot (25'-0") on center based on the perimeter length of the parking area and should be trimmed up to eight feet 8'-0" in height at the time of planting;
- B. Interior Landscape Planting: All open parking areas of 36 or more parking spaces or at least 12,000 square feet in area shall provide at least one 4" caliper tree for every eight parking spaces which include perimeter trees.
 - i. Fractions equal to or greater than one half resulting from this calculation shall be considered to be one tree;
 - ii. Each such tree shall be located in a planting island with a minimum area of 150 square feet of pervious surface;
 - iii. The following distribution of trees shall apply:
 - a. Each end space in a row of twelve or more parking spaces shall fully abut a planting island or a perimeter landscaped area along the long dimension of the end space;
 - b. No more than 20 parking spaces shall be permitted between planting islands, or a planting island and a perimeter landscaped area;
- C. Required Screening: The following uses must be screened from abutting property and view from a public street:
 - i. Dumpsters, recycling containers (except for recycling containers located at recycling collection centers), or solid waste handling areas;
 - ii. Service entrances or utility structures associated with a building, except in the area where such use abuts other service entrances or utility structures;

- iii. Loading docks or spaces, except in the area where such use abuts other loading docks or spaces;
 - iv. Outdoor storage of materials, stock and equipment; and
 - v. Any other uses for which screening is required under these regulations.
- D. **Installation Requirements:** The following contains standards to be used in installing screening:
- i. Trees must be installed with a minimum 4" caliper and must be large deciduous or evergreen species which have a minimum growth height of 25'-0"; (See Section 3: Design Standards for minimum street tree requirements.)
 - ii. Trees should be trimmed up eight feet (8'-0") at the time of planting;
 - iii. Shrubs used in any screening or landscaping must be evergreen, at least three feet (3'-0") tall with a minimum spread of two feet (2'-0") when planted and no further apart than four feet (4'-0"). They must be of a variety and adequately maintained so that an average height of three to four feet (3'-0" to 4'-0") could be expected as normal growth within four years of planting. Shrubs and trees shall be on the approved plant list for the Borough "Approved Plant Species" list;
 - iv. Any fence or wall used for screening shall be constructed in a durable fashion of brick, stone, other masonry material, specifically designed as fencing materials;
 - v. A chain link, wood, plastic, or metal fence cannot be used and does not satisfy the requirements of this section;
 - vi. The maximum height for a wall or fence is four feet (4'-0").

§ 380-047A.9 Streetscape Requirements:

The streetscape for the Broadway Corridor South District should be designed with a similar palette of materials and standards in order to portray a cohesive district.

- A. **Streetscape Elements:** The streetscape shall be provided by the developer per this section of the Design Standards which include:
- i. Street trees;
 - ii. Lighting;
 - iii. Street Furniture;
 - iv. Landscape and Hardscape;
- B. **Street Trees:** Street trees shall be planted in either grates or open landscape areas equivalent to 30' on center along all public street frontage for any new project/development.
- i. Street trees shall be planted with a minimum four inch 4" caliper, shall be trimmed up to 8'-0" and shall be in accordance with the "American Standard for Nursery Stock" published by the American Association of Nurserymen;
- C. **Sidewalks:** Sidewalks shall be a minimum of 6'-0" in width;
- D. **Street Lighting:**
- i. All street lighting in the Broadway Corridor shall be shielded from second floor uses and shall be a maximum of 16' in height, located on center between street trees 1'-0" from the back of curb at a maximum of 90'-0" on center;
 - ii. Street light specifications and locations shall be submitted for review and approval prior to installation;
 - iii. Luminaries should be translucent or glare-free using opaque glass or acrylic lenses;
 - iv. Diffusers and refractors should be installed to reduce unacceptable glare; particularly adjacent to residential areas.

§ 380-047A.10 Design Standards:

The design standards in this section provide the criteria for proposed development in the Broadway Corridor South BC-S Zone in order to promote a high quality, pedestrian friendly, mixed use environment. Any future development is subject to these provisions and should be built in accordance with the minimum design standards specified in this section. These standards promote:

A. Building Architectural Character:

All buildings shall reinforce pedestrian scale.

- i. All buildings shall be designed with a flat roof;
 - a. Roof lines must include variations such as parapet;
- ii. The base of buildings shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment particularly at the street level;
- iii. Elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base are appropriate and should be provided to add special interest to the base;
- iv. For commercial and retail uses 75% of the first floor facing Broadway shall be designed with glass as a transparent wall
- v. Special attention must be given to the design of windows at the base of buildings. Ribbon windows are discouraged. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are encouraged;
- vi. Uninterrupted facades are prohibited. There must be a minimum of two breaks in any façade smaller than 50ft. Uninterrupted facades of more than 50 ft must follow the same requirements for façade breaks as facades with less than 50 ft. Facades may be broken up by recesses and projections, windows, awning and other architectural details.
 - a. Facades must include preating patterns of color, texture, or materials to increase architectural interest in buildings.
 - b. Façade colors must be neutral. Trim may have brighter colors, but neon lighting is not permitted.
 - c. Any façade adjacent to Broadway must have a customer entrance.
- vii. Primary building materials shall include: brick, stone, and/or glass which cover a minimum of 75% percent of each building façade, exclusive of windows and doors with accent materials comprising a maximum of 25% percent for each building façade;
 - a. Vinyl siding of any type or grade is strictly prohibited on any portion of building façade in the redevelopment area;
 - b. Stucco is permitted as an accent material on facades that do not face a public street;
 - c. Exterior building materials must be high quality. Smooth faced concrete, tilt up concrete panels and stell panels are not permitted.
- viii. Generic national branding architecture for freestanding retail / commercial buildings unless it meets the requirements of this section is prohibited;

- ix. Storefront design should reflect the individual tenant's brand identity;
 - a. First level facades should be varied and avoid monolithic appearance;
 - b. Signage shall comply with the Borough of Woodcliff Lake Zoning Ordinance;

B. Building Orientation:

- i. All buildings shall have pedestrian access and be oriented toward Broadway;
- ii. All new development shall have a 16'-0" minimum first floor height;
- iii. Outdoor patios and dining areas are permitted and encouraged to face Broadway;

C. Building Entrances:

Building entrances should be easily identifiable and feature large, open and transparent windows with unique and interesting signage.

- i. Commercial and retail entrances are required to have at least one access point on Broadway. Additional entrances are permitted on the sides and rear of buildings.
- ii. Entrances for residential, office and uses other than commercial and retail should be separate and distinct;
- iii. Customer entrances must have feature such as canopies or porticos, arcades, arches or planters.
- iv. Sidewalks must be included along all sides of a lot that abut a public street and along the length of any side of the building that has a customer entrance. Sidewalks connecting to the principal customer entrance must feature landscaping or benches.

D. Building Storefront Components:

The following components are encouraged for the building facades that front Broadway:

- i. Entries & Doors: The placement of doors and their design are an integral part of the storefront because they establish a clear point of entry to the store. Creative uses for entry doors should be explored as a connection to the street. Restaurants especially should use doors to open interior seating spaces to the outside café seating on the sidewalk;
- ii. Canopies & Awnings: An awning or canopy emphasizes the store or restaurant's entrance, provides shade for a café, and can carry part of a tenant's identity. It can also add texture to the streetscape, and add interest and variety to the building façade;
- iii. Windows & Glazing: The use of glazing in retail storefronts creates an important connection between the interior and exterior environment, and allows for effective window shopping and merchandising opportunities. Glazing elements also play a key role in establishing the quality of public space. Carefully conceived glazing design will benefit retailers, consumers and the public environment establishing an atmosphere of transparency and vibrancy.

E. Storefront Materials:

The approach to storefront design should be to create the highest quality level possible with an emphasis on user-friendly materials. The overall objective in developing the exterior storefront design is to specify "real" materials at the pedestrian level. A variety of masonry materials such as brick, stone and pre-cast are suitable. Masonry detailing, molding, finished metals, glass enhancements and high quality paint treatments will contribute to a successful retail environment. The minimum recommendations below, outline some of the specifics when considering materials for storefronts:

- i. The following materials are not permitted for new development without a variance on storefronts:
 - a. Plastic and metal laminates
 - b. Acrylic
 - c. Plastics
 - d. Smoked or tinted glass
 - e. Anodized or mill finish aluminum
 - f. Simulated materials
 - g. Interior grade materials and wall coverings
 - h. Distressed or sandblasted woods
 - i. Rough-sawn woods and shakes
 - j. Mirror
 - k. EIFS

F. Street Level Frontage / Uses:

- i. Residential uses are not permitted on the first floor of any building in the BC-S Zone;
 - a. Residential lobbies and entrances however, are permitted on the first floor on Broadway and should be distinct and separate from the entrances of all other first floor uses;
- ii. For retail and commercial uses, outdoor dining and seating is encouraged on Broadway;
- iii. Seating is encouraged to be designed either along the building façade or at the back of the curb. These areas should be clearly identified with either temporary, semi permanent barriers that are removed at the end of each night or permanent barriers;

G. Outdoor Dining: Outdoor dining is permitted under the following conditions:

- i. The outdoor dining area is to be an integral part of the streetscape. It should be attractive, promote pedestrian circulation, visual interest and evoke retail friendly vitality for the Broadway Corridor.
- ii. The outdoor dining area shall be positioned adjacent to a restaurant and contained within a delineated area. The number of seats shall be determined by compliance with applicable fire and building codes.
- iii. Outdoor dining may operate between 6:00 am and 11:00 pm daily between March 1st and November 30th.
- iv. There shall be a minimum 5'-0" unobstructed corridor space for pedestrian traffic along the sidewalk. The area is to be in a straight line, parallel to the building face and curb.
- v. Unobstructed space of at least 44 inches wide must be maintained between the restaurant doorway and the pedestrian traffic corridor.
- vi. Outdoor dining near the sidewalk curb, along the street, must leave a least 2 feet unobstructed side walk depth between the curb and the outer dimension of the outdoor dining area
- vii. No food preparation is allowed in the outdoor dining area.
- viii. Tents or awnings are subject to building department approval. Table umbrellas are permitted but the umbrellas must be contained within the outdoor dining area when fully extended. The lowest elevation of the umbrella must be a minimum six feet eight inches (6'8") above the sidewalk to allow for patron and server circulation.
- ix. All improvements (furniture and fixtures must be readily removable.

- H. Canopies and Balconies:
Canopies, awnings, and similar architectural accents are encouraged at entrances to buildings. Such features may be constructed of rigid or flexible material designed to complement the tenant's identity at the street level.
- I. Mechanical Equipment Screening:
The screening of mechanical equipment is required.
 - i. Rooftop equipment / elevator protrusions are not permitted
 - ii. Screening materials shall be consistent with the architectural detail, color and materials of the building;
 - a. Wire mesh screening is not permitted;
 - iii. Any wall pack ventilation unit facing a public street must match the adjacent material color.
- J. Building Service Locations:
All service locations for new development shall be provided at the rear or side of the building and shall not be permitted directly on Broadway.
 - i. Existing service locations on Broadway are permitted with designated service drop off areas only. Service vehicles are not permitted to stop in the street and must use a designated service drop off area.
 - ii. Loading docks, trash collection areas and outdoor storage must be screened.
- K. The South Broadway Corridor District (BC-S) shall include:

Block and Lot Numbers

BI 2708 L 1	BI 2303 L 1	BI 2701 L 5	BI 2406 L 3
BI 2702 L 1	BI 2406 L 5	BI 2406 L 7	BI 2704 L 5
BI 2406 L 4	BL 2303 L 4	BI 2406 L 1	BI 2406 L 10
BI 2303 L 3	BI 2406 L 2	BI 2303 L 2	BI 2704 L 1
BI 2406 L 11	BI 2406 L 8	BI 2701 L 4	BI 2303 L 5
BI 2703 L 22	BI 2704 L 4	BI 2406 L 6	BI 2701 L 3
BI 2703 L 1	BI 2405 L 1	BI 2704 L 3	BI 2704 L 2
BI 2702 L 29	BI 2701 L 2	BI 2702 L 28	
BI 2303 L 6	BI 2303 L 7	BI 2703 L 23	

Section 3: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 4: 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, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 5. 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 6: This ordinance shall take effect upon passage and publication according to law.

Date: November 10, 2016

Attest: Deborah Dakin

**BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey**

ORDINANCE NO. 16-15

AN ORDINANCE TO VACATE ENTIRETY OF PICKWICK LANE IN FAVOR OF THE CREATION OF A UTILITY EASEMENT AS DESCRIBED HEREIN ON LAND SITUATED NEAR PROPERTY KNOWN AS BLOCKS 303 & 303.01 LOCATED AT INTERSECTION WITH COUNTY ROAD (CR-73)

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

Hereto introduced on the 10th day of November, 2016 at 8:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 5th day of December, 2016 at 8:00 PM or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said Ordinance be further considered.

WHEREAS, the Borough of Woodcliff Lake has no need for the entirety of Pickwick Lane located at the Northeasterly sideline of County Road as illustrated on the Borough Tax Map Sheet 3; and

WHEREAS, the street has been effectively closed upon consolidation and development of Block 303, Lots 1 & 2; Block 303.01, Lots 3 & 4; Block 401, and Lots 1.01-1.03; and

WHEREAS, the Borough of Woodcliff Lake intends to continue the use of the water, drainage and/or utilities and may make any other modifications or installations in the area that serve the needs of Borough of Woodcliff Lake and/or the County of Bergen and as such reserves a right-of-way; and

WHEREAS, N.J.S.A. 40:67-1(b) permits the Borough to vacate any public street or any portion of any public street in order to serve the interests of the Borough; and

WHEREAS, the Borough Mayor and Council has determined that there is no longer any need to maintain said street; and

WHEREAS Lakeland Surveying, Inc (Marc J. Cifone, PLS preparing) who has performed a survey to provide legal descriptions of the street being vacated and the area reserved as a right-of-way, and those survey descriptions and Tax Map Sheet 3 are made part of this ordinance as Schedule Attachment A and B respectively. Any conflict between the survey and tax map shall be interpreted in favor of the description contained in the Borough's tax map.

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

Section 1. AUTHORIZATION OF PAPER STREET VACATION.

The Mayor and Council of the Borough of Woodcliff Lake hereby vacates the entirety of Pickwick Lane located at the Northeasterly sideline of County Road as illustrated on the Borough Tax Map Sheet 3;

Section 2. RESERVATION OF RIGHTS.

Pursuant to the provisions of N.J.S.A. 40:67-1(b), the Borough Council reserves from said vacation the right-of-way as described for the use of the Borough, its public works and/or its need for water, drainage and/or utilities to maintain, repair, and replace any existing facilities located within that portion of the right-of-way or to install any new facilities as may be necessary. The Borough may make any other modifications or installations in the area that serve the needs of Borough of Woodcliff Lake and/or the County of Bergen.

Section 3. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage and publication in accordance with the law.

Dated: November 10, 2016

Attest: Deborah A. Dakin