

Borough of Tenafly

ORDINANCE NO. 12-16

AN ORDINANCE AMENDING CHAPTER XXIX, SECTION 29-8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY CREATING AND DEFINING A SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF TENAFLY

BE IT ORDAINED by the Mayor and Council of the Borough of Tenafly, County of Bergen, State of New Jersey, as follows:

Section 1. Paragraph a. of Section 29-8 of Chapter XXIX of the Revised General Ordinances of the Borough of Tenafly is hereby amended to read as follows:

a. The nonprofit corporation, the "Tenafly Business Improvement District Management Corporation," an entity incorporated pursuant to N.J.S.A. 15A:1-1 et seq., is hereby designated as the District Management Corporation for the District and designated by this chapter to receive funds collected by a business improvement assessment within the Special Improvement District. The owners of the properties subject to the assessing or taxing provisions of this chapter shall be the Members of the District Management Corporation. The Board of Directors of the District Management Corporation, in addition to acting as an advisory board to the Mayor and Council, shall have all powers necessary and requisite to effectuate the purpose of this chapter and the District, including but not limited to:

Subparagraphs 1 through 19 of Paragraph a. shall remain unchanged.

Section 2. Paragraph b. of Section 29-8 of Chapter XXIX of the Revised General Ordinances of the Borough of Tenafly is hereby amended to read as follows:

b. The Board of Directors of the District Management Corporation shall be composed of eleven (11) representative Directors selected as follows:

1. One (1) "Class A" Director who shall be an elected official of the Tenafly Borough Council, to be appointed annually by the Borough Council at the January reorganization meeting, or failing such appointment at that meeting, at the next regular meeting of the Tenafly Governing Body;

2. Two (2) "Class B" Directors appointed annually by the Tenafly Borough Council, neither of whom shall be a member of the Tenafly Governing Body, such appointments to be made at the January reorganization meeting, or failing such appointments at that meeting, at the next regular meeting of the Tenafly Governing Body. Class B Directors must work, reside, or own property in the Borough of Tenafly;

3. Five (5) "Class C" Directors elected by a majority vote of the Members. Two Class C Directors shall initially serve until December 31, 2014 and three Class C Directors shall initially serve until December 31, 2015. Thereafter the Class C Directors shall be elected by a majority vote of the Members for terms of three (3) years.

4. Three (3) "Class D" Directors elected annually by majority vote of the Board, such vote to be taken at the last meeting of the Board for the calendar year. Such meeting shall be held during the month of December. Three initial Class D Directors shall be elected in December 2012. One initial Class D Director shall serve for a term of one (1) year ending in December 2013, another initial Class D Director shall serve for a term of two (2) years ending in December 2014, and the third initial Class D Director shall serve for a term of three (3) years ending in 2015. Thereafter, each subsequent Class D Director shall be elected for a term of three (3) years.

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED: October 16, 2012

ADOPTED: November 1, 2012

ATTEST:

APPROVED:

Lissette Aportela-Hernandez,
Borough Clerk

Peter Rustin, Mayor