



**BOROUGH OF LEONIA**  
**COUNCIL WORK SESSION MEETING**  
*~ Minutes ~*

Lynn Hemmer, Acting Borough Clerk

305 Beechwood Pl  
Leonias, NJ 07605  
[www.leonianj.gov](http://www.leonianj.gov)

Monday, November 26, 2012

7:30 PM

Borough Annex

A Council Work Session Meeting of the Mayor & Council of the Borough of Leonia, Bergen County, New Jersey, was held this evening in the Borough Hall Annex, Commencing at 7:32 PM

Mayor John DeSimone called the meeting to order.

**1. FLAG SALUTE**

Mayor DeSimone requested the following individuals from the Boy Scouts to lead the Governing Body in the Pledge of Alliance:

Nicholas Cells, Alejandro Citron, Gregory Duke, Justin Greenberg, Diego Heinert, Ethan Johnson, Edward June, Theodore Kim, Alec Shimizu, Maxwell Stith, Andrew Zayas.

**2. ROLL CALL**

Attendee Name	Title	Status	Arrived
Peter Knott	Council President	Present	
Philip Choi	Councilman	Present	
Gil Hawkins	Councilman	Present	
I.S. Pak	Councilman	Present	
Doug Salmon	Councilman	Present	
Darryl Whitter	Councilman	Present	
John DeSimone	Mayor	Present	
Jack Terhune	Administrator	Absent	
Lynn Hemmer	Acting Borough Clerk	Present	
Brian Giblin	Borough Attorney	Present	

**3. OPEN MEETING STATEMENT**

Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin Board at Borough Hall and notice sent to the Official Newspaper.

**4. PRESENTATION / DISCUSSION**

**5. APPOINTMENTS**

**6. COMMENTS FROM THE PUBLIC**

Steve Hutnick, 262 Leonia Ave, commended the Governing Body for the excellent communications that took place during Storm "Sandy", updates daily, which were helpful if you had no electricity. Thanked also the DPW, Police, and everyone involved, Mayor & Council, DPW, Police, Etc.

## 7. APPROVAL OF MINUTES

### 1. Council - Regular Council Meeting - Nov 14, 2012 7:30 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gil Hawkins, Councilman
<b>SECONDER:</b>	Peter Knott, Council President
<b>AYES:</b>	Knott, Choi, Hawkins, Pak, Salmon, Whitter

## 8. RESOLUTIONS

Councilman Whitter questioned a payment listed on the claims list, \$40,000 to a Levin, Esq..

Acting Borough Clerk Lynn Hemmer confirmed that is was a payment for a tax appeal that was approved on the previous meeting resolution #2012-245

### 1. RES-2012-249 Tax Sale Certificate #11-00002 B1317, L10

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gil Hawkins, Councilman
<b>SECONDER:</b>	Darryl Whitter, Councilman
<b>AYES:</b>	Knott, Choi, Hawkins, Pak, Salmon, Whitter

### 2. RES-2012-250 Authorizing Treasurer to Pay Claims List

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gil Hawkins, Councilman
<b>SECONDER:</b>	Darryl Whitter, Councilman
<b>AYES:</b>	Knott, Choi, Hawkins, Pak, Salmon, Whitter

## 9. REPORTS

### **STANDING COMMITTEES**

#### ***Finance, Administration and Personnel***

Councilman President Knott at the last meeting of the Finance & Personnel they had discussed matters that are still on going. Some of which will be brought to the Governing Body this evening.

The Committee also met with the CFO Myrna Becker and the initial phase of the preparation of the budget for 2013 is underway.

Councilman Knott mentioned, that the tax bills that were inserted with a summary, a graphic summary with the breakdown of the Leonia public taxes for the taxpayers that there had been some concern form the Board of Education regarding the inserts, Councilman Knott met with John Kendrick from the Board of Education they felt at one point that the inserts were incorrect but it was established that the figures were correct. The figures were based on the calendar year rather than the fiscal year which the Board of Education works on. Obviously we pay our taxes based on the calendar year, one concern that they had was the fact the graphs reflected a large increase in the debt service which is associated with the Board of Education for 2012

compared to 2011, that's because the debt service from 2011 was 2 million and 2.7 million in 2012, an increase of about 36%. When that was added in to the operating budget the levels were raised for the operating budget which meant there was an increase of the school appropriations of 5.49% because the debt service obviously is outside the 2% cap. That was resolved with Mr. Kendrick and the insert that was in the tax bills were correct.

Councilman Hawkins asked if the insert will be done again since it was a great help understanding the tax bill.

Councilman Knott agreed with Councilman Hawkins and explained that it was something the tax payers don't recognize because they pay mortgages through the banks or mortgage companies, they pay their mortgages on a regular monthly basis and any changes in the tax level they are not aware of. The amounts are greater than the escrow in the banks they are holding to cover those things sometimes they don't see their bills. It's a good thing of people paying property taxes in town to know the distribution of taxes between the county, Board of Education, municipal taxes we pay and also the Library which we now separate.

Councilman Hawkins agreed showing the Library was a good thing, Councilman Knott explained that the Library actually went down about 3.6% between 2011 and 2012.

### ***Laws & Ordinances***

Councilman Whitter - at the last meeting the committee discussed the Ordinance that is listed tonight on the agenda for adoption listed as "vehicles and traffic", Ordinance 2012-15.

Mayor DeSimone explained to the Governing Body that initially the Ordinance was tabled, since then he has had the chance to drop off copies of the Ordinance and speak to the merchants that are around the area that is mentioned in the Ordinance. The Mayor also told the merchants that if they wanted to they could attend the meeting tonight and discuss the Ordinance. All were in agreement and were okay with the Ordinance, the only complaint they had is that people are parking in front of the stores on Broad Avenue for more than the 2 hours as posted. Mayor DeSimone asked Councilman Hawkins who is the Police Commissioner to look into the situation.

### ***Police***

Councilman Hawkins explained that due to certain circumstances he and Chief Ziegler were unable to put a report together.

On another note Councilman Hawkins mentioned the young man that attended the last meeting, Darius Levine, stood up and asked about Station Parkway in regards to making a left hand turn or going straight through. Councilman Hawkins spoke to Chief Ziegler and the Chief would make his officers cognizant to the issue. Another question raised that was just mentioned about the two (2) hour slotted parking situation on Broad Avenue, chief Ziegler will also have his officers start marking cars. We also have (2) new special officers graduating this

week and will be going on duty and they will be able to mark the tires in the parking spaces. Chief Ziegler also mentioned that he spoke to the budget committee about increasing the hours of the four (4) special officers will be able to work which in a way is revenue. We haven't had in a while unexpended revenue when parking and people pay fines for parking situations, those monies actually boost the fact of the employment of the specials.

Councilman Choi questioned the overtime from the storm; will FEMA be reimbursing the Borough?

Councilman Hawkins explained that we have to be careful of what we say FEMA will pay, we are applying for that money, the problem is that the time is put in now and FEMA money usually comes in the next budget year. So basically were paying for Peter now, and Paul will get paid later. The police budget is over this year because of the storm.

### ***Fire***

Councilman Knott - Leonia Fire Department is a member of the East Bergen Fire Fighters Mutual Aid Association, mutual aid association started in 1946 with a group of towns, 6 neighboring towns and now consists of ten (10) communities which Leonia has as neighbors with the only exception being Ridgefield Park and Bogota. Ten (10) towns consist of Fort Lee, Leonia, Palisades Park, Fairview, Cliffside Park, Ridgefield, Edgewater, Englewood, Englewood Cliffs, and Tenafly, with Fort Lee being the central communications center. Every so often Leonia Fire Department host a meeting of the East Bergen Fire Fighters mutual aid association, this occurred on November 13, 2012. Mayor DeSimone and Councilman Knott attended the meeting, it was a great event, it was also the second day that donations for the aid they rendered to the communities in Toms River. They went down as previously mentioned at the last meeting for three (3) days a group of firefighters from Leonia went down to help with the problems dealing with hurricane Sandy, they took down a fire truck and a communications vehicle for three (3) days, because of the terrible loses which were incurred by the by the fire fighters down in Toms River and Silverton, some of those fire fighters lost their homes entirely and there was a donation collections of provisions of food , nonperishable food, clothing, work gloves, what have you cleaning supplies that was collected from the people of Leonia by our fire department it was a tremendous job and while Councilman Knott was on the subject of first responder to hurricane Sandy he has to mention as Mr. Hutnik commented the response was to the large extent coordinated by our OEM director Ron Chace and also the office of OEM Dave Haenelt and all the other groups that were involved, DPW, Police, FD. Everyone did a tremendous job! If you remember last year a year ago we had the problems with the snow storm that came in October 2011 that took everybody by surprise. This year we were well prepared with the meeting we had right before the storm hit and that helped considerably in the coordination.

### ***Ambulance***

**ENGLEWOOD HOSPITAL & MEDICAL CENTER  
EMERGENCY MEDICAL SERVICES  
LEONIA DIVISION  
2012/2011**

<u>Call Volume</u>	<i>November</i>		<i>Variance</i>		<i>Nov. Y. T. D.</i>		<i>Var</i> <i>Am</i>
	<i>2012</i>	<i>2011</i>	<i>Amount</i>	<i>Percent</i>	<i>2012</i>	<i>2011</i>	
Total Ambulance Calls:	<b>52</b>	68	(16)	-24%	<b>575</b>	644	
Cancelled Calls:	<b>11</b>	10	1	10%	<b>80</b>	67	
Fire/Police Stand By:	<b>0</b>	0	-	0%	<b>10</b>	7	
Refused Medical Attention:	<b>3</b>	15	(12)	-80%	<b>95</b>	156	
Treated and Transported:	<b>38</b>	42	(4)	-10%	<b>389</b>	410	
<b>Leonia Residents:</b>	<b>30</b>	20	10	50%	<b>277</b>	225	
Edgewater Students:	<b>0</b>	0	-	0%	<b>0</b>	4	
Englewood Hospital & Medical Center	<b>24</b>	16	8	50%	<b>161</b>	136	
Holy Name Medical Center	<b>3</b>	1	2	200%	<b>66</b>	61	
Hackensack University Med. Center	<b>3</b>	3	-	0%	<b>29</b>	15	
Bergen Regional Medical Center	<b>0</b>	0	-	0%	<b>11</b>	9	
Other Hospitals	<b>0</b>	0	-	0%	<b>9</b>	4	
<b>Non-residents:</b>	<b>7</b>	22	(15)	-68%	<b>111</b>	155	
Englewood Hospital & Medical Center	<b>3</b>	14	(11)	-79%	<b>59</b>	94	
Holy Name Medical Center	<b>3</b>	5	(2)	-40%	<b>30</b>	35	
Hackensack University Med. Center	<b>0</b>	1	(1)	0%	<b>16</b>	16	
Bergen Regional medical Center	<b>1</b>	2	(1)	-50%	<b>6</b>	8	
Other Hospitals	<b>0</b>	0	-	0%	<b>0</b>	1	
# of calls between 06:00 - 18:00	<b>33</b>	41	(8)	-20%	<b>346</b>	420	
# of call between 18:00 - 06:00	<b>19</b>	27	(8)	-30%	<b>229</b>	275	
Average Response Time	<b>6:10</b>	4:55	1:55	39%	<b>5:44</b>	4:55	1:29

### **Public Works**

Councilman Choi - no report to give, things are shaping up since hurricane Sandy. Commends DPW for their hard working in keeping the town clean

### **Borough Administrator**

No report Borough Administrator Terhune is away on vacation

### **Mayor**

Mayor DeSimone - wants to report about the number of compliments the Mayor is receiving regarding the DPW, Police, and FD during hurricane Sandy. In all the years mayor DeSimone had been in Leonia he has never seen so many Leonians stop by the store and express their gratitude towards these department and what a marvelous job, very pleased by the public coming forward.

### **Special Bodies**

**Recreation** - Councilman Pak

Sports Boosters carnival which took place in October raised about \$20,000 dollars, which is not considered to be a success, it was a little bit less than they have made before. Sports Boosters are considering going back to the month of July as done in previous years.

Jennifer Leonard has resigned from the Recreation Commission; the Governing Body needs to appoint another Commissioner.

Annual tree lighting is going to take place on Friday December 7, 2012 at 7pm

**It Committee** - Councilman Salmon

Chairman John Kendrick gave a presentation to the Governing Body on October 15, 2012, he mentioned 13 recommendations that the committee had suggested. Councilman Salmon asked what the next step would be to go from the recommendations/suggestions to making the actual changes.

Councilman Whitter explained that the Governing Body was waiting for a full report from the committee, there were a number of items discussed before in terms that the Governing Body wants to know in terms of operating systems throughout the Borough and each one of the systems to make sure that we have support on those operating systems or the operating systems that may be outdated where there is no longer support from Microsoft or who the operating system may be. It's important that we take a look at those operating systems which are all on separate systems on separate servers. Perhaps begin to uniform some of the operating systems, some may be running windows XP, some may be running vendors from 2000, were trying to get some uniformity in terms of license renewals and so on.

Councilman Salmon's response was in the beginning that was one of the suggestions /recommendations to perform in inventory, but the committee is well beyond that at this point. A member of the committee has drawn up a detailed plan that, that inventory should address. The question is who does it, is it done by the borough Administrator or volunteers that ids one of the items however in trying to do. They looked at all of the results by various departments and tried to address the results of the citizens and try to address the things that seemed to make the most problems for the most people on a priority basis. The Committee would like access to the website to the section of the web that the department information is on to do update for the individual departments. Another suggestion is finding a way to address problems before they are brought to the website, tracking them. Perhaps the committee should appoint a pt. person working for the borough that can take on a number of those things. These are issues that can be flushed out by the committee, but the committee has no authority to do anything. So the question Councilman Salmon is asking is how would the Mayor & Council proceed to decide what they want to do and how to go about it.

Councilman Whitter asked if this is something that the Finance and Personnel committee should address. They could look into how something like this could be budgeted and work along with the Borough Administrator to figure out the cost.

Council Knott will recommend the idea to the Finance, Personnel and Administration committee.

**Historic Preservation** - Councilman Knott

Was due to meet November 12, 2012, unfortunately they did not have a quorum.

**10. INTRODUCTION OF ORDINANCE**

- 1. ORD-2012-17 Adjustment & Amending Chapter 37 Entitled "Land Use Procedures"**

Councilman Whitter explained that there is a clause in the Ordinance in terms of the public being able to come to the Council in terms of a variance that might have been passed by the Planning Board and have it appealed with the Council and in the Ordinance there is a 10 day grace period to file the appeal where normally now its 45 days.

Borough Attorney Giblin added that actually it's the same period that is in the existing Ordinance, 45 days is when you appeal to the superior Court in Hackensack. The 10 day period is identical to what is in the Ordinance. Attorney Giblin suggested that it can be changed if that is what the Council would like to do.

Councilman Whitter suggested that the 10 day period may not be sufficient based on the house sometimes the ruling comes down from the Planning Board and in terms of the public being notified when the resolution has been adopted and voted on. So if it was a 45 or 30 day it would give the public more sufficient time if they wanted to appeal any types of decisions by the Planning Board, 10 days are a little short.

Attorney Giblin added whatever the Governing Body desires to do, is fine it's only in the event of an approval of a "D" variance by the Planning Board. Not any other variance only a "D" variance. This is where the Planning Board will act as a zoning board.

Councilman Hawkins questioned, in expediting approvals, if we have a longer period of time between 45 days would mean two (2) meetings?

Councilman Whitter added that this is for the public, if someone in the public wanted to appeal a decision made by the zoning board at which Attorney Giblin just mentioned the "D" variance that the time period they have in order to file an appeal to the Governing Body.

Councilman Hawkins explained the point is if the Planning Board can't make a decision the person can't start the work they are trying to do until 45 days is after that period ended.

Councilman Whitter, resolution has to be written before the public can appeal it and of course in terms of appealing to the Council 10 day seems a bit too short, perhaps if we could come up with a different scenario other than 45 days and make it 35 days before the next zoning board meeting it could be agreed upon.

Attorney Giblin explained that there is an issue with the old Ordinance was not codified correctly and therefore we really need do need to pass an Ordinance so the Planning Board is operating properly. What Attorney Giblin suggests is that the Governing Body adopts something, if it isn't introduced today, it cannot be adopted by the end of the year. Introduce now and modify later.

<b>RESULT:</b>	<b>INTRODUCED [5 TO 1]</b>	<b>Next: 12/17/2012 7:30 PM</b>
<b>MOVER:</b>	Darryl Whitter, Councilman	
<b>SECONDER:</b>	Peter Knott, Council President	
<b>AYES:</b>	Knott, Choi, Pak, Salmon, Whitter	
<b>NAYS:</b>	Gil Hawkins	

## 11. ADOPTION OF ORDINANCE

### 1. ORD-2012-15 Amending Chapter 194 of the Code of the Borough of Leonia Titled "Vehicles and Traffic."

Mayor DeSimone explained that this Ordinance was originally tabled at the last meeting. At that time the Governing Body wanted the merchants to be notified of the loading area that was being approved for Broad Avenue.

Councilman Knott un-tabled Ordinance 2013-15

The floor was opened up for discussion of Ordinance 2012-15

Leah Roland - 186 Crescent Ave., questioned the Governing Body's enacted Ordinance 2012-17 adjusting and amending Chapter 37- entitled land use procedures. Ms. Roland asked if someone could explain the Ordinance to her.

Attorney Giblin explained that as procedure only Ordinance 20115 can be discussed at this time

No Comments, Ordinance was adopted

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Knott, Council President
<b>SECONDER:</b>	Gil Hawkins, Councilman
<b>AYES:</b>	Knott, Choi, Hawkins, Pak, Salmon, Whitter

## 12. UNFINISHED BUSINESS

## 13. NEW BUSINESS

### 1. Ordinance 290-24 "H" - Councilman Pak

Councilman Pak - Ordinance 290-24 "H" - Nail Salons,

As mentioned at the last meeting this Ordinance Stipulates the distance limitation between nail salons, as we witnessed at a previous Planning Board meeting the first time the Ordinance was challenged and the Ordinance succumbed no basis if challenged the next time, it will not withstand the challenge and would like the Ordinance rescinded.

As the discussion went on it was suggested that the original ordinance was adopted due to the limited parking in the Borough, because the Planning Board felt that there is no longer a parking issue, they approved the resolution to add another Nail salon to the Avenue. It was also decided that the Ordinance would not be rescinded because that would leave the door open for other business to accept tenants to open other salons. By keeping the Ordinance the town can



keep a limit to the amount of the nail salon being opened. The Governing Body was also reminded that there is also an Ordinance that prohibits funeral parlors, and if you wanted to open up a tavern you would be unable to.

The Governing Body decided that the Ordinance would stay as is. The reason being that it gives the public the option to appeal and let the applicant apply for a variance. When they file for a variance it's up to the public if they wish to file an appeal, then it would be heard by the Council, or the superior court in Hackensack.

**2. New Green Building Code - Councilman Hawkins**

Councilman Hawkins - As discussed previously the Green Team put together a "Green Building Code". Councilman Hawkins is interested in getting the "Green Building Code" passed by the Borough. This is something that has gone back and forth between the Borough and the Planning Board. The State has written an addendum to the building code, which is the "Green Building Code". Councilman Hawkins explained that it costs more to build a "Green" building as per a standard building, fortunately the products used today already meet the "Green Code". As more information comes forward Councilman Hawkins will keep the Governing Body updated.

**14. COMMENTS FROM THE PUBLIC (Agenda and Non-Agenda items)**

Leah Roland - 186 Crescent, Ms. Roland again question Ordinance 2012-17, what is the effect of that Ordinance.

Borough Attorney Giblin explained that the original Ordinance was incorrect and it needed to be re-codified.

Ms. Roland also questioned Ordinance 290-24 "H" "Nail Salons", why would the Planning Board Attorney make a statement that the Ordinance would not hold up in court? Ms. Roland inquired if this was a true statement.

Mayor DeSimone responded that the ordinance passed because of the parking situation. Since there is no longer a parking issue the Planning Board passed the resolution.

**15. CORRESPONDENCE**

**1. Special Mayor & Council Meeting December 10, 2012 - Personnel**

**16. CLOSED SESSION**

Hawkins

Pak

**1. Litigation**

**17. ADJOURNMENT**



**Borough of Leonia**  
312 Broad Ave  
Leonias, NJ 07605

**Lynn Hemmer**  
Acting Borough Clerk

[www.leonianj.gov](http://www.leonianj.gov)

Meeting: 11/26/12 07:30 PM

## 2012 RESOLUTION GENERAL

✓ Vote Record - Resolution RES-2012-249						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Peter Knott	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Philip Choi	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Gil Hawkins	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	I.S. Pak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Doug Salmon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto	Darryl Whitter	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### RES-2012-249: Tax Sale Certificate #11-00002 B1317, L10

**RESOLVED;** by the Mayor and Council of the Borough of Leonia that the Collector is hereby authorized to issue a check in the amount of \$23,886.86, payable to "Robert Rothman" for the Redemption of Tax Sale Certificate #11-00002, dated 12/08/2011 on property know as Block 1317, Lot 10, 1631 Bergen Boulevard. This amount includes a Premium of \$2,700.00; and

**BE IT FURTHER RESOLVED;** that the taxpayer has paid to the Borough Tax Collector the full amount of said redemption, less premium, to the Borough of Leonia; and

**BE IT FURTHER RESOLVED;** that the Lien Holder bid and paid, \$2,700.00 as a Premium to the Borough of Leonia on the day of sale for Tax Sale Certificate #11-00002; and

**BE IT FURTHER RESOLVED;** that this check is to reimburse the Buyer of the lien; and

**BE IT FURTHER RESOLVED;** that the Acting Borough Clerk is hereby authorized and directed to furnish copies of this Resolution to the following;

1. Chief Financial Officer
2. Collector

Approved:

Attest:

\_\_\_\_\_  
Mayor - John DeSimone

\_\_\_\_\_  
Acting Borough Clerk - Lynn Hemmer

\$21,186.86 Lien

\$2,700.00 Premium

\$23,886.86 Total

---

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council held on November 26, 2012.

---

Clerk of the Borough of Leonia

Attachments:

Tax Cert. 112612      (PDF)

Certificate: 11-00002	Owner: BAILEY, GRACE	Type of Lien: Outside
Prop Loc: 1631 BERGEN BLVD	Address: 1631 BERGEN BLVD	Interest Rate: 0.00
	LEONIA NJ 07605-1244	Apr 2: N
		Premium: 2,700.00
Block/Lot/Qual: 1317. 10.	Holder Name: R. ROTHMAN	Holder Id: 00005
Sale Date: 12/08/11	Address: 411 GRAND AVENUE	
Redemption Calculation Date: 11/26/12	ENGLEWOOD, NJ 07631	
Include Current Charges: N		

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Tax	4,991.65	4.99	4,996.64
		Cost: <u>99.93</u>	
		Total Certificate:	5,096.57
#Days: 348 Per Diem:	0.000000	Int on Cert:	0.00
		Redemption Penalty ( 4.00 %):	<u>203.86</u>
		Total:	5,300.43

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total	
Tax	2011	1	12/14/11	1,741.45	18.00	0.870725	342	297.79	2,039.24
Tax	2011	2	12/14/11	1,741.45	18.00	0.870725	342	297.79	2,039.24
Tax	2011	3	12/14/11	1,937.10	18.00	0.968550	342	331.24	2,268.34
Tax	2011	4	12/14/11	1,839.27	18.00	0.919635	342	314.52	2,153.79
Tax	2012	1	02/24/12	1,828.38	18.00	0.914190	272	248.66	2,077.04
Tax	2012	2	05/01/12	9.94	18.00	0.004970	205	1.02	10.96
Tax	2012	2	05/18/12	1,812.92	18.00	0.906460	188	170.41	1,983.33
Tax	2012	3	09/14/12	2,179.62	18.00	1.089810	72	78.47	2,258.09
Tax	2012	4	11/13/12	<u>6.40</u>	0.00	0.000000	0	<u>0.00</u>	<u>6.40</u>
			Total:	13,096.53			1,739.90	14,836.43	

BALANCE TYPE SUMMARY:

	<u>Certificate Total &amp; Subseq. Prin/Penalty</u>	<u>Interest</u>	<u>Total</u>
Certificate Tax	4,996.64	0.00	4,996.64
Subseq Tax	<u>13,096.53</u>	<u>1,739.90</u>	<u>14,836.43</u>
Total Tax	18,093.17	1,739.90	19,833.07
Certificate Cost	99.93	0.00	99.93

LIEN REDEMPTION:

Principal:	18,193.10	
Redemption Penalty ( 4.00 %):	203.86	
Interest:	1,739.90	
Recording Fees:	<u>52.00</u>	
TOTAL REDEMPTION:	20,188.86	Total Per Diem: 6.545065

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

WINNE, BANTA, HETHERINGTON,  
BASRALIAN &  
KAHN, P.C. COUNSELLORS AT LAW  
ESTABLISHED 1922

COURT PLAZA SOUTH - EAST WING  
21 MAIN STREET, SUITE 101  
P.O. BOX 647  
HACKENSACK, NJ 07601-0647  
(201) 487-3800  
FACSIMILE (201) 487-8529  
(201) 525-9460

[www.winnebanta.com](http://www.winnebanta.com)

NEW YORK OFFICE  
570 LEXINGTON AVENUE, 28<sup>th</sup> Floor  
NEW YORK, NEW YORK 10022  
(212) 644-1710

WASHINGTON, D.C. OFFICE  
1730 M STREET, SUITE 200  
WASHINGTON, D.C 20036-4630  
(202) 290-5113

FLORIDA OFFICE  
2255 GLADES ROAD, SUITE 324 ATRIUM  
BOCA RATON, FLORIDA 33486  
(561)482-0680

JOSEPH L. BASRALIAN \*  
ROBERT M. JACOBS  
GERALD GOLDMAN \*  
GARY S. REDISH \*  
RICHARD R. KAHN \*  
KENNETH K. LEHN  
ROBERT J. KLEEBLATT  
RONALD M. ABRAMSON  
MARTIN J. DEVER, JR. \*  
THOMAS J. CANGIALOSI, JR. \*  
CAROLYN GERACI FROME  
BRUCE R. ROSENBERG  
SCOTT K. McCLAIN \*  
EDWARD P. D'ALESSIO \*  
RICHARD D. WOLLOCH \*  
MICHAEL G. STINGONE \*

SHARON REIDER GABB \*  
CHRISTINE R. SMITH  
R.N. YENDAI RICHARDS  
IAN S. KLEEPLATT  
THOMAS R. MCCONNELL  
ROMAN VACCARI \*  
LORI A. JOHNSON  
MICHAEL J. COHEN \*  
MELISSA A. TERRANOVA \*  
JOSEPH M. VIGLIOTTI

PETER G. BANTA \*  
MARK E. LICHTBLAU \*  
ALICE B. NEWMAN \*  
FRANK J. FRANZINO, JR. \*  
COUNSEL TO THE FIRM

ROBERT A. HETHERINGTON III (RET)  
ARTHUR J. SIMPSON, JR. \* (RET)  
MATTHEW COHEN \* (RET)  
WALTER G. WINNE (1889-1972)  
HORACE F. BANTA (1895-1985)  
BRUCE F. BANTA (1932-1983)

CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\* MEMBER NEW YORK BAR ALSO  
\* MEMBER CONNECTICUT BAR ALSO  
\* MEMBER PENNSYLVANIA BAR ALSO  
\* MEMBER WASHINGTON, D.C. BAR ALSO  
\* CPA (N.J.)  
\* MEMBER FLORIDA BAR ALSO

Email address:  
Direct Dial:

DATE: 10/24/2012

TELECOPY NUMBER: 201 592 0019

CONFIRMATION NUMBER:

DELIVER TO: Irvine Commik

AT:

FROM:

REGARDING: 1631 Bergen Blvd, Locom, NJ

COMMENTS:

Call me at 201 562 1015 if you have  
any questions

Thank you

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET:

CLIENT/FILE NUMBER:

THIS TELECOPY MESSAGE IS TRANSMITTED FROM (201) 487-3800. IF THE TRANSMISSION YOU RECEIVE IS INCOMPLETE OR ILLEGIBLE, PLEASE CALL OUR FILE ROOM AT (201) 487-3800 AS SOON AS POSSIBLE.

CONFIDENTIALITY NOTE

This message, together with any attachments, is provided only for the use of the individual or entity to whom it is addressed and may contain information that is highly confidential, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any information, is strictly prohibited. If you have received this message in error, please notify the original sender, call Winne Banta Hetherington Basralian & Kahn, P.C. immediately by telephone (201-487-3800) or by return e-mail and delete this message, along with any attachments, from your computer. Thank you.

IRS Consider 328 Checkbook To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax related information contained in this communication (including any attachments) is not intended or to be used, and should not be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) preparing, completing, or filing a return or other document or report addressed to the IRS.

The original of the transmitted document will be sent by First Class Mail Message

Overnight Service This will be the only time of delivery of the transmitted document

**WINNE, BANTA, HETHERINGTON,  
BASRALIAN &  
KAHN, P.C.** COUNSELLORS AT LAW  
ESTABLISHED 1922

# 010

COURT PLAZA SOUTH – EAST WING  
21 MAIN STREET, SUITE 101  
P.O. BOX 647  
HACKENSACK, NJ 07601-0647  
(201) 487-3800  
FACSIMILE (201) 487-8529  
(201) 525-9460

[www.winnebanta.com](http://www.winnebanta.com)

NEW YORK OFFICE  
570 LEXINGTON AVENUE, 26<sup>th</sup> Floor  
NEW YORK, NEW YORK 10022  
(212) 644-1710

WASHINGTON, D.C. OFFICE  
1730 M STREET, SUITE 200  
WASHINGTON, D.C. 20036-4530  
(202) 286-6113

FLORIDA OFFICE  
2255 GLADES ROAD, SUITE 324 ATRIUM  
BOCA RATON, FLORIDA 33488  
(561) 482-0660

JOSEPH L. BASRALIAN +  
ROBERT M. JACOBS  
GERALD GOLDMAN +  
GARY S. REDISH +  
RICHARD R. KAHN +  
KENNETH K. LEHN /  
ROBERT J. KLEEBLATT  
RONALD M. ABRAMSON  
MARTIN J. DEVER, JR. + \*  
THOMAS J. CANGIALOSI, JR. +  
CAROLYN GERACI FROME  
BRUCE R. ROSENBERG  
SCOTT K. McCLAIN p  
EDWARD P. D'ALESSIO + \*  
RICHARD D. WOLLOCH +  
MICHAEL G. STINGONE p  
  
SHARON REIDER BABB +  
CHRISTINE R. SMITH  
R.N. TENDAJ RICHARDS  
IAN S. KLEEBLATT  
THOMAS R. McCONNELL  
ROMAN VACCARI p +  
LORI A. JOHNSON  
MICHAEL J. COHEN +  
MELISSA A. TERRANOVA +  
JOSEPH M. VIGLIOTTI  
JASON L. LISOU +

PETER G. BANTA +  
MARK E. LICHTBLAU +  
ALICE B. NEWMAN + ■  
FRANK J. FRANZINO, JR. +  
COUNSEL TO THE FIRM

ROBERT A. HETHERINGTON III (RET)  
ARTHUR J. SIMPSON, JR. + (RET)  
MATTHEW COHEN + (RET)  
WALTER G. WINNE (1889-1972)  
HORACE F. BANTA (1895-1985)  
BRUCE F. BANTA (1932-1983)

✓ CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
+ MEMBER NEW YORK BAR ALSO  
\* MEMBER CONNECTICUT BAR ALSO  
p MEMBER PENNSYLVANIA BAR ALSO  
x MEMBER WASHINGTON, D.C. BAR ALSO  
Δ CPA (INJ)  
■ MEMBER FLORIDA BAR ALSO

Email address: [dbasquil@winnebanta.com](mailto:dbasquil@winnebanta.com)  
Direct Dial: (201) 562-1015

October 18, 2012

**Via Fax** (201) 592-0019  
Borough of Leonia  
312 Broad Avenue  
Leonia, NJ

Attention: Tax Collector: Irvine Commik

**Re: Request Redemption to November 26, 2012 (next Mayor in Counsel date)  
Property: 1631 Bergen Boulevard, Leonia, NJ**

Dear Sirs

Please be advised that this office represents the buyer of the above-referenced premises and in connection with a closing to take place on Thursday, **October 25, 2012**. Please provide us with an amount in order to satisfy the third party lien for the Tax Sale Certificate in question through the aforesaid date (November 26, 2012), please include any penalty fee if any.

Kindly also advise us in writing that the original Tax Sale Certificate as executed by the third party lien holder shall be forwarded to this office upon payment in full of the lien.

Should you have any questions or comments, please do not hesitate to call.

Very truly yours,  
  
Danielle Basquil

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

# FAX RX Result Report



MFP

TASKalfa 3500i

Firmware Version 2LH\_2F00.003.107 2012.03.22

10/24/2012 15:42  
[2LF\_1000.003.063] [2K9\_1100.002.001] [2LC\_7000.003.101]

Job No.: 002332

Total Time: 0°00'35"

Page: 002

## Complete

Document: **doc00233220121024154220**

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
001	10/24/12 15:42		0°00'35"	FAX	OK	200x100 Normal/On

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

# WINNE, BANTA, HETHERINGTON, BASRALIAN & KAHN, P.C. COUNSELLORS AT LAW ESTABLISHED 1922

COURT PLAZA SOUTH - EAST WING  
21 MAIN STREET, SUITE 101  
P.O. BOX 647  
HACKENSACK, NJ 07601-0647  
(201) 487-3800  
FACSIMILE (201) 487-8529  
(201) 525-9460

[www.winnebanta.com](http://www.winnebanta.com)

NEW YORK OFFICE  
570 LEXINGTON AVENUE, 26<sup>th</sup> Floor  
NEW YORK, NEW YORK 10022  
(212) 644-1710

WASHINGTON, D.C. OFFICE  
1730 M STREET, SUITE 200  
WASHINGTON, D.C. 20036-4630  
(202) 288-3113

FLORIDA OFFICE  
2256 GLADES ROAD, SUITE 324 ATRIUM  
BOCA RATON, FLORIDA 33486  
(561) 482-0680

JOSEPH L. BASRALIAN \*  
ROBERT M. JACOBS  
GERALD GOLDMAN \*  
GARY S. REDISH \*  
RICHARD R. KAHN \*  
KENNETH K. LEHN  
ROBERT J. KLEEBLATT  
RONALD M. ABRAMSON  
MARTIN J. DEVER, JR. \*  
THOMAS J. CANGIALOSI, JR. \*  
CAROLYN GERACI FROME  
BRUCE R. ROSENBERG  
SCOTT K. McCLAIN p  
EDWARD P. D'ALESSIO \* \*  
RICHARD D. WOLLOCH \*  
MICHAEL G. STINGONE p

SHARON REIDER BABB \*  
CHRISTINE R. SMITH  
R.N. TENDAI RICHARDS  
IAN S. KLEEBLATT  
THOMAS R. McCONNELL  
ROMAN VACCARI p  
LORI A. JOHNSON  
MICHAEL J. COHEN \*  
MELISSA A. TERRANOVA \*  
JOSEPH M. VIGLIOTTI

PETER G. BANTA \*  
MARK E. LICHTBLAU \*  
ALICE B. NEWMAN \* \*  
FRANK J. FRANZINO, JR. \*  
COUNSEL TO THE FIRM

ROBERT A. HETHERINGTON III (RET)  
ARTHUR J. SIMPSON, JR. \* \* (RET)  
MATTHEW COHEN \* (RET)  
WALTER G. WINNE (1889-1972)  
HORACE F. BANTA (1895-1985)  
BRUCE F. BANTA (1932-1983)

CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\* MEMBER NEW YORK BAR ALSO  
\* MEMBER CONNECTICUT BAR ALSO  
\* MEMBER PENNSYLVANIA BAR ALSO  
\* MEMBER WASHINGTON, D.C. BAR ALSO  
\* CPA (PA)  
\* MEMBER FLORIDA BAR ALSO

Email address:  
Direct Dial:

DATE: 10/24/2012

TELECOPY NUMBER: 201 592 0019

CONFIRMATION NUMBER:

DELIVER TO: Irvine Commik

AT:

FROM:

REGARDING: 1631 Bergen Blvd, Locomo, NJ

COMMENTS:

Call Me AT 201 562 1015 if you if have  
any questions

thank you

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET:

CLIENT/FILE NUMBER:

THIS TELECOPY MESSAGE IS TRANSMITTED FROM (201) 487-3800. IF THE TRANSMISSION YOU RECEIVE IS INCOMPLETE OR ILLEGIBLE, PLEASE CALL OUR FILE ROOM AT (201) 487-3800 AS SOON AS POSSIBLE.

CONFIDENTIALITY STATEMENT

This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, distribution, or copying of this message, or any information, is strictly prohibited. If you have received this message in error, please notify the original sender, and Winne Banta Hetherington Basralian & Kahn, P.C., immediately by telephone (201-487-3800) or by return e-mail and delete this message, along with any attachments, from your computer. Thank you.

IRB Consider 230 Discretion To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is only intended or written to be used, for the purpose of (a) creating permitted under the Internal Revenue Code or (b) providing, consulting, or recommending to another party any transaction or strategy described herein.

The original of the transmitted document will be sent by:  
( ) First Class Mail  
( ) Messenger

Overnight Service  
This will be the only form of delivery of the transmitted document

Packet Pg. 16

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)



WINNE, BANTA, HETHERINGTON,  
BASRALIAN &

# 010

KAHN, P.C. COUNSELLORS AT LAW  
ESTABLISHED 1922

COURT PLAZA SOUTH - EAST WING  
21 MAIN STREET, SUITE 101  
P.O. BOX 647  
HACKENSACK, NJ 07601-0647  
(201) 487-3800  
FACSIMILE (201) 487-8529  
(201) 526-9460

[www.winnebanta.com](http://www.winnebanta.com)

NEW YORK OFFICE  
670 LEXINGTON AVENUE, 26<sup>th</sup> Floor  
NEW YORK, NEW YORK 10022  
(212) 644-1710

WASHINGTON, D.C. OFFICE  
1730 M STREET, SUITE 200  
WASHINGTON, D.C. 20036-4630  
(202) 296-6113

FLORIDA OFFICE  
2265 GLADES ROAD, SUITE 324 ATRIUM  
BOCA RATON, FLORIDA 33499  
(561) 482-0880

JOSEPH L. BASRALIAN +  
ROBERT M. JACOBS  
GERALD GOLDMAN +  
GARY S. REDISH +  
RICHARD R. KAHN +  
KENNETH K. LEHN +  
ROBERT J. KLEEBLATT  
RONALD M. ABRAMSON  
MARTIN J. DEVER, JR. +  
THOMAS J. CANGIALOSI, JR. +  
CAROLYN GERACI FROME  
BRUCE R. ROSENBERG  
SCOTT K. McCLAIN p  
EDWARD P. D'ALESSIO + \*  
RICHARD D. WOLLOCH +  
MICHAEL G. STINGONE p

SHARON REIDER BABB +  
CHRISTINE R. SMITH  
R. N. TENDAI RICHARDS  
IAN S. KLEEBLATT  
THOMAS R. McCONNELL  
ROMAN VACCARI p +  
LORI A. JOHNSON  
MICHAEL J. COHEN +  
MELISSA A. TERRANOVA +  
JOSEPH M. VIGLIOTTI  
JASON L. LIBOU +

PETER G. BANTA +  
MARK E. LICHTBLAU +  
ALICE B. NEWMAN + ■  
FRANK J. FRANZINO, JR. +  
COUNSEL TO THE FIRM

ROBERT A. HETHERINGTON III (RET)  
ARTHUR J. SIMPSON, JR. + ■ (RET)  
MATTHEW COHEN + (RET)  
WALTER G. WINNE (1899-1972)  
HORACE F. BANTA (1896-1986)  
BRUCE F. BANTA (1932-1983)

✓ CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\* MEMBER NEW YORK BAR ALSO  
\* MEMBER CONNECTICUT BAR ALSO  
p MEMBER PENNSYLVANIA BAR ALSO  
\* MEMBER WASHINGTON, D.C. BAR ALSO  
A CPA (N.J.)  
■ MEMBER FLORIDA BAR ALSO

Email address: [gbasquill@winnebanta.com](mailto:gbasquill@winnebanta.com)  
Direct Dial: (201) 562-1015

October 18, 2012

Via Fax (201) 592-0019  
Borough of Leonia  
312 Broad Avenue  
Leonia, NJ

Attention: Tax Collector: Irvine Commik

Re: Request Redemption to November 26, 2012 (next Mayor in Counsel date)  
Property: 1631 Bergen Boulevard, Leonia, NJ

Dear Sirs

Please be advised that this office represents the buyer of the above-referenced premises and in connection with a closing to take place on Thursday, October 25, 2012. Please provide us with an amount in order to satisfy the third party lien for the Tax Sale Certificate in question through the aforesaid date (November 26, 2012), please include any penalty fee if any.

Kindly also advise us in writing that the original Tax Sale Certificate as executed by the third party lien holder shall be forwarded to this office upon payment in full of the lien.

Should you have any questions or comments, please do not hesitate to call.

Very truly yours,  
  
Danielle Basquill

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

# FAX RX Result Report

MFP

TASKalfa 3500i

Firmware Version 2LH\_2F00.003.107 2012.03.22

10/24/2012 15:47  
[2LF\_1000.003.063] [2K9\_1100.002.001] [2LC\_7000.003.101]



Job No.: 002333

Total Time: 0°00'37"

Page: 002

## Complete

Document: **doc00233320121024154635**

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
001	10/24/12 15:46		0°00'37"	FAX	OK	200x100 Normal/On

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

**ROBERT ROTHMAN**  
409 Grand Avenue  
Englewood, NJ 07631

Tel. (201) 569-5300

FAX (201) 569-2035

November 14, 2012

Borough of Leonia  
Michael Apicella / Tax Collector  
312 Broad Ave  
PO Box 98  
Leonia, NJ 07605

Re: Redemption: TTL#11-00002, Block 1317, Lot 10

Dear Michael,

Enclosed please find above referenced tax lien certificate(s) duly signed and notarized for cancellation.

Kindly remit redemption amount(s) of \$20,188.86 plus a premium of \$2,700.00 for a total of \$22,888.86 as of redemption date of November 26, 2012.

Thank You.

Sincerely yours,

Robert Rothman  
RR:dz

Hand delivered November 14, 2012

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

# CERTIFICATE OF SALE

## FOR UNPAID MUNICIPAL LIENS

8.1.a

CERTIFICATE

No. 11-00002

I, **MICHAEL T APICELLA**, COLLECTOR OF TAXES of the taxing district of **BOROUGH** of **LEONIA**

the COUNTY of  **Bergen**  and State of New Jersey, do hereby certify that on the  **8th**  day of  **December** ,  **2011**  at a public sale of land delinquent municipal liens, pursuant to the Revised Statutes of New Jersey, 1937, Title 54, Chapter 5, and the amendments and supplements thereto I sold to  **R. ROTHMAN**

whose address is  **411 GRAND AVENUE, ENGLEWOOD, NJ 07631**

for  **Five Thousand Ninety Six**  dollars and  **Fifty Seven**  cents, the in said taxing district described as Block No.  **1317**  Lot No.  **10**  and known as  **1631 BERGEN BLVD** , on the duplicate thereof and assessed thereon to  **BAILEY, GRACE**

### THE AMOUNT OF THE SALE WAS MADE UP OF THE FOLLOWING ITEMS:

	AMOUNT	INTEREST	TOTAL
<b>Taxes For:</b>	4,991.65	4.99	4,996.64
<b>Assessments For Improvements</b>			
Total Cost of sale	99.93		99.93
Total Premium (if any) Paid	2,700.00		5,096.57

11-104076.03 Tax Sale Certificate  
 V Bk: 00908 Pg: 1903-1904 Rec. Fee \$43.00  
 John S. Hogan, Bergen County Clerk  
 Recorded 12/21/2011 03:06:17 PM

Said sale is subject to redemption on repayment of the amount of sale, together with interest at the rate of  **0.00**  per centum per annum from the date of sale, and the costs incurred by the purchaser as defined in the statute. The sale is subject to municipal charges accruing after  **December 31, 2010**  and assess municipal authority charges accruing after  **December 31, 2010**  and assess installments not yet due, amounting to  **0.00**  dollars and interest thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this  **8**  day of  **December**

STATE OF NEW JERSEY  
COUNTY OF:  **Bergen**

*[Signature]*  
MICHAEL T APICELLA, COLLECTOR OF TAXES

BE IT REMEMBERED, that on this  **8**  day of  **December** ,  **2011**  before me, the Collector of Taxes of the taxing district of  **BOROUGH OF LEONIA**  in the County of  **Bergen**  who, I am satisfied, is the individual described herein, and who executed the above Certificate of Sale; and I having made known to him the contents thereof, he thereupon acknowledged to me that he signed, sealed and delivered the same as his voluntary act and deed, for the purposes therein expressed.

Prepared By: *[Signature]* MICHAEL T APICELLA, PREPARER  
*[Signature]* FRAN LEHMANN, NOTARY PUBLIC

NOTE: NJSA 46:15-3 requires that all signatures appearing on the certificate, those of the collector, the Notary Public who takes acknowledgement, and the preparer shall be printed, typed or stamped underneath such signature the name of the person that signed.

Attachment: Tax Cert. 112612 (RES-2012-249 : Tax Sale Certificate #11-00002 B1317, L10)

GREATER NEW JERSEY TITLE AGENCY INC  
ESCROW ACCOUNT  
4 BRIDGE STREET  
METUCHEN, NJ 08840  
PH. 732-744-0200

HSBC BANK USA, N.A.  
1-108/210

11/5/2012

31666

Packet Pg. 21

PAY TO THE ORDER OF

Borough of Leonia

\$ 20,188.86

DOLLARS

Twenty Thousand One Hundred Eighty-Eight and 86/100

MEMO Certificate # 11-00002

⑈031555⑈ ⑆021001088⑆ 387006184⑈

AUTHORIZED SIGNATURE

MP

Security Features Included



Details on Back.

PAY TO THE ORDER OF

BOROUGH OF LEONIA

\$ 2,026.47

DOLLARS

Two Thousand Twenty-Six and 47/100

MEMO 4th Quarter Taxes

⑈031555⑈ ⑆021001088⑆ 387006184⑈

AUTHORIZED SIGNATURE

MP

Security Features Included



Details on Back.

GREATER NEW JERSEY TITLE AGENCY INC  
ESCROW ACCOUNT  
4 BRIDGE STREET  
METUCHEN, NJ 08840  
PH. 732-744-0200

HSBC BANK USA, N.A.  
1-108/210

11/5/2012

31668

Security Features Included



Details on Back.



**Borough of Leonia**  
312 Broad Ave  
Leon, NJ 07605

**Lynn Hemmer**  
Acting Borough Clerk

[www.leonianj.gov](http://www.leonianj.gov)

Meeting: 11/26/12 07:30 PM

## 2012 RESOLUTION GENERAL

✓ Vote Record - Resolution RES-2012-250						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Peter Knott	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Philip Choi	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Gil Hawkins	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	I.S. Pak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Doug Salmon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto	Darryl Whitter	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## RES-2012-250: Authorizing Treasurer to Pay Claims List

**BE IT RESOLVED;** that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2012 budget and/or Reserve Budget:

Current Fund	1-01	11.00
Current Fund	2-01	4,456,751.20
Grant Fund	G-01	3,226.69
Swim Pool Utility	2-05	7595.11
General Capital Fund	C-04	15,582.23
Trust Dedicated	T-03	4,144.72
Developers Escrow	T-13	165.00
Unemployment Trust	T-16	2,081.39
Recreation Activities Trust	T-20	12,513.16
Drug Alliance Trust	T-23	575.16
Animal Control Trust	T-25	4.20
<u>Developers Donation Parking</u>	<u>T-28</u>	<u>344.85</u>
Total		\$4,502,994.71

---

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council held on November 26, 2012.

---

Clerk of the Borough of Leonia

Attachments:

Claims List 112612 (PDF)

Range of Checking Accts: First to Last Range of Check Dates: 10/16/12 to 12/31/12  
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: \

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
ACTIVITIES TRST REC ACTIVITIES MANUAL CHECKING					
101812	10/18/12	07888 WOODFOREST NATIONAL BANK	102.88		6315
101912	10/19/12	00723 PAYROLL ACCOUNT	397.50		6307
110112	11/01/12	00723 PAYROLL ACCOUNT	573.75		6322
111612	11/16/12	00723 PAYROLL ACCOUNT	181.25		6326
112012	11/20/12	07888 WOODFOREST NATIONAL BANK	42.41		6331

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	5	0	1,297.79	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	5	0	1,297.79	0.00

Curr Manual	Current Manual	Checking Acct	Amount Paid	Reconciled/Void	Ref Num
101812	10/18/12	07888 WOODFOREST NATIONAL BANK	204.06		6316
101912	10/19/12	00723 PAYROLL ACCOUNT	257,201.38		6306
110112	11/01/12	00723 PAYROLL ACCOUNT	243,258.88		6320
2496	11/13/12	05040 NJSHBP	67,247.26		6323
2527	11/13/12	05040 NJSHBP	34,159.05		6324
111612	11/16/12	00723 PAYROLL ACCOUNT	288,799.10		6325
111712	11/17/12	07888 WOODFOREST NATIONAL BANK	187.15		6329

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	7	0	891,056.88	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	7	0	891,056.88	0.00

Curr Operating	Current Computer	Checking Acct	Amount Paid	Reconciled/Void	Ref Num
144087	10/19/12	00824 LEONIA BOARD OF EDUCATION	600,000.00		6309
144088	11/01/12	Alignment Check		VOID	
144089	11/01/12	00824 LEONIA BOARD OF EDUCATION	320,949.00		6312
144090	11/04/12	Alignment Check		VOID	
144091	11/04/12	01000 DELTA DENTAL OF NJ, INC	5,356.65		6313
144092	11/04/12	02475 UNUM LIFE INSURANCE	480.18		6313
144093	11/04/12	03726 KYOCERA MITA AMERICA	104.05		6313
144094	11/04/12	04113 DEPT 67-434 FORD MOTOR CREDIT	825.35		6313
144095	11/04/12	06279 VFIS SPECIALTY BENEFITS DIV.	1,387.35		6313
144097	11/07/12	00824 LEONIA BOARD OF EDUCATION	1,420,949.00		6319
144098	11/20/12	Alignment Check		VOID	
144099	11/20/12	06522 WILLIAM C. LEVINE, ESQ.	40,411.91		6332

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	9	3	2,390,463.49	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	9	3	2,390,463.49	0.00

General Capital	General Capital	Account	Amount Paid	Reconciled/Void	Ref Num
3752	10/18/12	05446 BIRDSALL ENGINEERING, INC.	65.00		6305

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)



Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
Continued					
GENERAL CAPITAL		GENERAL CAPITAL ACCOUNT			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	1	0	65.00      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	1	0	65.00      0.00
PARKING TRUST		DEVEL DONATION PRKNG TRST-COMP			
11	11/14/12	05689 AJM CONTRACTORS, INC.	344.85		6318
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	1	0	344.85      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	1	0	344.85      0.00
REC ACTIVITIES		RECREATION ACTIVITIES ACCOUNT			
14764	11/07/12	06510 LORETO ARECHE	406.26		6317
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	1	0	406.26      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	1	0	406.26      0.00
SP MANUAL		SWIM POOL MANUAL CHECKING			
101812	10/18/12	07888 WOODFOREST NATIONAL BANK	24.95		6314
101912	10/19/12	00723 PAYROLL ACCOUNT	2,020.00		6308
110112	11/01/12	00723 PAYROLL ACCOUNT	2,020.00		6321
111612	11/16/12	00723 PAYROLL ACCOUNT	2,020.00		6327
112012	11/20/12	07888 WOODFOREST NATIONAL BANK	24.95		6330
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	5	0	6,109.90      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	5	0	6,109.90      0.00
TRUST DEDICATED		TRUST DEDICATED - COMPUTER			
2106	10/17/12	00723 PAYROLL ACCOUNT	750.00		6304
2107	10/31/12	00723 PAYROLL ACCOUNT	750.00		6311
2108	11/16/12	Alignment Check		VOID	
2109	11/16/12	00723 PAYROLL ACCOUNT	750.00		6328
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	3	1	2,250.00      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	3	1	2,250.00      0.00
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	32	4	3,291,994.17      0.00
		Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u> <u>0.00</u>
		Total:	32	4	3,291,994.17      0.00

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	2-01	3,278,779.90	0.00
SWIM POOL FUND	2-05	<u>6,109.90</u>	<u>0.00</u>
Year Total:		3,284,889.80	0.00
	C-04	65.00	0.00
GRANT FUND APPROPRIATED:	G-01	2,740.47	0.00
	T-03	2,250.00	0.00
	T-20	1,704.05	0.00
	T-28	<u>344.85</u>	<u>0.00</u>
Year Total:		4,298.90	0.00
Total of All Funds:		<u><u>3,291,994.17</u></u>	<u><u>0.00</u></u>

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

P.O. Type: All  
 Range: First to Last  
 Format: Condensed  
 Include Non-Budgeted: Y

Open: N  
 Rcvd: Y  
 Bid: Y

Paid: N  
 Held: N  
 State: Y

Void: N  
 Aprv: N  
 Other: Y  
 Exempt:

First Enc Date Range: First to 12/31/12

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01028 A. W. MEYER	12-00023	01/23/12	EQUIPMENT ACQUISITION	Open	51.84	0.00		B
05800 A.M. TERESI	12-01524	10/20/12	VEHICLE MAINTENANCE	Open	4,000.00	0.00		B
02653 AAA EMERGENCY SERVICE CO.	12-01448	10/01/12	SAFETY FUEL CAN, CAN TOOL FUEL	Open	1,344.40	0.00		
03412 ABRAKADOODLE	12-01685	11/17/12	FALL INSTRUCTOR ABRAKADOODLE	Open	1,404.00	0.00		
00011 AGL WELDING SUPPLY CO. INC.	12-01014	06/28/12	CHEMICALS/GASES	Open	188.10	0.00		B
	12-01449	10/01/12	HELIUM GAS F/HEALTH FAIR	Open	108.23	0.00		
					296.33			
03184 ALETA ZYGIEL RN	12-01527	10/22/12	REIMBURSEMENT F/ SUPPLIES	Open	239.13	0.00		
	12-01531	10/22/12	3RD QTR COORD. FEE	Open	351.49	0.00		
	12-01535	10/22/12	FOOD FOR HEALTH FAIR	Open	73.20	0.00		
	12-01536	10/22/12	FOOD F HEALTH FAIR	Open	93.28	0.00		
	12-01537	10/22/12	HEALTH FAIR SUPPLIES	Open	402.62	0.00		
	12-01538	10/22/12	REIMBURSEMENT F/ SUPPLIES	Open	689.92	0.00		
					1,849.64			
06269 ALL PRO TENNIS	12-01474	10/05/12	INSTRUCTOR PAY - TENNIS	Open	1,008.00	0.00		
	12-01627	11/16/12	FALL 2012 INSTRUCTOR PAY	Open	588.00	0.00		
					1,596.00			
03075 APEX COPY CENTER INC.	12-01580	10/25/12	NECESSARY FORMS FOR HEALTH	Open	115.00	0.00		
02674 AQUA MIST IRRIGATION CORP.	12-00384	03/24/12	SWIM POOL SPRINKLER SYSTEM	Open	110.00	0.00		B
02921 AUTOMOTIVE BRAKE COMPANY	12-01284	08/24/12	VEHICLE MAINTENANCE	Open	769.05	0.00		B
02185 BAKER & TAYLOR - 510486	12-00056	01/23/12	ENTERTAINMENT	Open	1,084.90	0.00		B
	12-00511	03/26/12	BOOKS	Open	56.57	0.00		B
	12-00903	06/14/12	BOOKS	Open	3,766.33	0.00		B
					4,907.80			
00909 BARBARA DAVIDSON	12-01598	10/29/12	REIMBURSEMENT F/TREAT STREET	Open	299.79	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03299 BERGEN COUNTY TECHNICAL SCHOOL	12-01462	10/05/12	EMAIL ONLY ANNUAL FEE	Open	48.00	0.00		
02683 BERGEN COUNTY TREASURER	12-01668	11/17/12	911 AGREEMENT W/BC	Open	38,749.50	0.00		
00023 BERGEN COUNTY UTILITIES AUTH.	12-01457	10/05/12	4TH QUARTER 2012 WASTEWATER CH	Open	203,927.00	0.00		
00024 BEYER BROS.	12-01022	07/05/12	HEAVY EQUIPMENT REPAIR	Open	894.44	0.00		B
05446 BIRDSALL ENGINEERING, INC.	10-01583	12/15/10	DESIGN OF PV SYSTEMS	Open	1,136.34	0.00		B
	12-01196	07/19/12	OAKDENE AVENUE ENGINEERING	Open	3,094.94	0.00		B
	12-01441	10/01/12	ENGINEERING SVCE SANCHEZ	Open	165.00	0.00		
					<u>4,396.28</u>			
04310 C & C TIRE, INC.	12-00251	02/07/12	TIRE PURCHASE	Open	10.50	0.00		B
	12-01234	08/16/12	TIRE PURCHASE	Open	735.50	0.00		B
					<u>746.00</u>			
05041 CAMPBELL FIRE PROTECTION INC	12-01544	10/22/12	FIRE EXTINGUISHERS	Open	218.00	0.00		
	12-01590	10/25/12	FIRE EXTINGUISHER INSPECTION	Open	713.70	0.00		
					<u>931.70</u>			
01097 CANON FINANCIAL SERVICES, INC.	12-01188	08/06/12	AGERUNNER ADVANCE C7055 COPIER	Open	1,474.78	0.00		B
02229 CARMINE R. ALAMPI, ESQ.	12-01416	09/24/12	PLANNING BD MEETING ATTENDANCE	Open	250.00	0.00		
	12-01491	10/05/12	MEETING ATTENDANCE	Open	500.00	0.00		
	12-01616	11/16/12	PB MEETING ATTENDANCE 10/25/12	Open	250.00	0.00		
					<u>1,000.00</u>			
03549 CCP SOLUTIONS, LLC	12-00221	02/10/12	LIBRARY OFFICE COPIER	Open	60.25	0.00		B
06239 CHRISTINA POTTER	12-01548	10/22/12	SPANISH INTRP 9/25/12	Open	150.00	0.00		
04582 CIT	12-00644	04/23/12	DPW COPIER CONTRACT NOV - DEC	Open	198.00	0.00		B
05018 COUNTY OF BERGEN, ADMIN & FIN	12-01667	11/17/12	2012 BAL DUE TAX BILL	Open	764,285.00	0.00		
05769 COUNTY OPEN SPACE TRUST FUND	12-01666	11/17/12	2012 BAL DUE NOV 15, 2012	Open	8,292.00	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04445 CSX TRANSPORTATION	12-01660	11/16/12	PIPELINE SEWER CROSSING/INDEX	Open	906.91	0.00		
00089 DAVID WEBER OIL CO.	12-00912	06/15/12	MOTOR OIL/LUBRICANTS	Open	431.00	0.00		B
04259 DEBORAH BIGELOW	12-01586	10/25/12	REIMBURSEMENT F/ TRAVEL	Open	80.81	0.00		
01000 DELTA DENTAL OF NJ, INC	12-01696	11/21/12	DENTAL PREMIUM DEC 2012	Open	5,991.99	0.00		
05704 DELUXE INTERNATIONAL TRUCK, INC	12-00105	01/23/12	VEHICLE MAINTENANCE	Open	117.85	0.00		B
04113 DEPT 67-434 FORD MOTOR CREDIT	12-01336	09/06/12	CHEVY TAHOE-2013 POLICE	Open	1,720.52	0.00		B
	12-01664	11/17/12	2011 CHEVROLET TAHOE LEASE	Open	825.35	0.00		
					<u>2,545.87</u>			
02902 DONNA PIZZA CENTER	12-01625	11/16/12	PIZZA F/GAS STATION DETAIL	Open	181.50	0.00		
05633 DOREEN KERN	12-01615	11/16/12	REIMBURSEMENT F/COAT RACK	Open	19.99	0.00		
00289 E.N. PAUL, INC.	12-01543	10/22/12	PLUMBING/HEATING/HVAC	Open	606.50	0.00		
00587 EMPLOYEE DATA FORMS	12-01358	10/30/12	2013 EMPLOYEE DATA FORMS	Open	46.00	0.00		
04530 EXCLUSIVE ACCOUNTING SERVICE	12-01579	10/25/12	PAYROLL SERVICES OCT-DEC 2012	Open	371.65	0.00		B
00649 FLAGSHIP DENTAL PLAN OF NJ	12-01650	11/16/12	DENTAL PLAN NOV 2012	Open	201.26	0.00		
02654 FORT LEE HARDWARE & SUPPLY CO	12-01028	07/05/12	MISC/MATERIAL/SUPPLIES	Open	27.50	0.00		B
	12-01502	10/12/12	MERCHANDISE PURCHASED	Open	93.01	0.00		
	12-01588	10/25/12	MISC MATERIAL/SUPPLIES	Open	407.67	0.00		B
	12-01633	11/16/12	BATTERIES FOR TREAT STREET	Open	73.10	0.00		
	12-01642	11/16/12	ASST MERCH PURCHASED	Open	58.73	0.00		
					<u>660.01</u>			
02864 FRANCES YANDOLI	12-01604	10/31/12	CONSULTANT	Open	780.00	0.00		
05263 G.T.B.M. INC	12-01489	10/05/12	EMERGENCY REPAIR PLATE READER	Open	500.00	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01544	GLORIA GALLO							
	12-01576	10/25/12	REIMBURSEMENT FOR HEALTH FAIR	Open	30.43	0.00		
	12-01583	10/25/12	REIMBURSEMENT F HEALTH FAIR	Open	33.29	0.00		
					63.72			
03516	GUARDIAN							
	12-01653	11/16/12	SHORT TERM DISABILITY NOV 2012	Open	48.82	0.00		
03332	H2M ASSOCIATES, INC.							
	12-01458	10/05/12	SUSTAINABILITY PLAN	Open	976.24	0.00		
05512	INSERRA SUPERMARKETS, INC.							
	12-01594	10/31/12	FOOD SUPPLIES F/HEALTH FAIR	Open	1,057.51	0.00		
05585	INSTALLATIONS BY FINCK LLC.							
	12-01595	10/31/12	EQUIPMENT/INSTALLATION	Open	12,571.91	0.00		
05591	INTERNATIONAL CODE COUNCIL							
	12-01493	10/05/12	2009 COMPLETE SET I CODES	Open	663.52	0.00		
04818	INTERSTATE BATTERY SYSTEM OF							
	12-01446	10/01/12	80-MHD	Open	60.00	0.00		
06363	IQM2							
	12-01647	11/16/12	MONTHLY SUB. NOV 2012	Open	950.00	0.00		
05587	JACK TERHUNE							
	12-01561	10/22/12	MICROPHONE'S & CABLE	Open	57.83	0.00		
	12-01602	10/31/12	10/4 SOW/SOW 600V BLK CUT	Open	57.23	0.00		
					115.06			
03073	JANE TAPPEN							
	12-01532	10/22/12	3RD QTR COOR. FEE	Open	351.49	0.00		
02943	JOANN ORLOWSKI							
	12-01575	10/25/12	REIMBURSEMENT	Open	87.13	0.00		
01514	KEN LEVY COMPUTER SYSTEMS							
	12-01614	11/16/12	UPGRADE TO ADOBE READER	Open	269.00	0.00		
	12-01698	11/21/12	REPAIR ADMINS COMPUTER	Open	47.50	0.00		
					316.50			
06519	LAUREN PARK							
	12-01629	11/16/12	REFUND TENNIA LESSONS	Open	130.00	0.00		
00196	LEONIA RECREATION COMMISSION							
	12-01530	10/22/12	FACILITIES RENTAL DARE GRAD.	Open	175.00	0.00		
06518	M.R. JACKOWSKY							
	12-01581	10/25/11	SIGN INTERPRETER	Open	175.00	0.00		
00224	MACO OFFICE SUPPLIES							
	12-01487	10/22/12	MISC ITEMS PURCHASED	Open	71.48	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00224	MACO OFFICE SUPPLIES		Continued					
	12-01549	10/22/12	MISC ITEMS PURCHASED	Open	833.34	0.00		
					904.82			
04243	MAROTTA, LYNN							
	12-01687	11/17/12	FALL INSTRUCTOR CALLANETICS	Open	2,056.00	0.00		
00226	MATERA'S NURSERY AND GARDEN CE							
	12-01106	07/19/12	EQUIPMENT MAINTENANCE	Open	149.00	0.00		B
04281	MCNERNEY & ASSOCIATES, INC.							
	12-01461	10/05/12	PREP & ATTENDANCE AT IN COURT	Open	200.00	0.00		
06425	METRO WAY TOURS CORPORATION							
	12-01585	10/25/12	CHARTER BUS TO SHOWBOAT	Open	900.00	0.00		
02029	METROPOLITAN RUBBER							
	12-01417	09/24/12	GENERAL MACHINERY PARTS	Open	411.15	0.00		B
06412	METROPOLITIAN CITY MARKET							
	12-01601	10/31/12	FOOD FOR HURRICANE SANDY	Open	187.24	0.00		
00230	MGL PRINTING SOLUTIONS							
	12-01539	10/22/12	DOG & CAT LICENSES	Open	301.00	0.00		
00231	MID-BERGEN REGIONAL HEALTH CMS							
	12-01578	10/25/12	4TH QUARTER 2012 HEALTH SVCES	Open	6,836.00	0.00		
06014	MONMOUTH COUNTY POLICE ACADEMY							
	12-01592	10/25/12	DETECTIVE SKILLS ENHANCEMENT	Open	150.00	0.00		
01107	MUNICIPAL INFORMATION SYSTEMS							
	12-01403	09/24/12	ANNUAL MAINTENANCE/SUPPORT/LIC	Open	1,460.00	0.00		
00244	MUNICIPAL RECORD SERVICE INC.							
	12-01550	10/22/12	MAILER FOR COURT NOTICES	Open	662.00	0.00		
	12-01551	10/22/12	TICKETBOOKS	Open	340.00	0.00		
					1,002.00			
00989	MYRNA BECKER							
	12-01533	10/22/12	REIMBURSEMENT F/ MILEAGE	Open	120.58	0.00		
	12-01534	10/22/12	REIMBURSEMENT FOR PD SERVICES	Open	342.78	0.00		
					463.36			
03511	N.J. LABOR LAW POSTER SERVICE							
	12-01654	11/16/12	STATE/FEDERAL POSTERS 2013	Open	67.25	0.00		
00250	NATIONAL FIRE PROTECTION ASSOC							
	12-01492	10/05/12	FIRE PREV. MATERIALS	Open	177.63	0.00		
03058	NATURE'S CHOICE CORP.							
	12-00916	06/15/12	MISC DISPOSAL MATERIALS	Open	500.00	0.00		B

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
0618			NJ DEPT HEALTH & SR SVCE.					
	12-01481	10/05/12	SEPTEMBER 2012 DOG REPORT	Open	4.20	0.00		
00612			NORTH JERSEY MEDIA GROUP					
	12-00234	02/10/12	LEGAL ADVERTISING	Open	823.11	0.00		B
	12-01528	10/22/12	NEWSPAPER AD FOR HEALTH FAIR	Open	262.83	0.00		
	12-01529	10/22/12	HEALTH FAIR ADVERTISEMENTS	Open	281.67	0.00		
					<u>1,367.61</u>			
06355			OCEAN CLEAN					
	12-00489	03/23/12	JANITORIAL SERVICES	Open	1,146.81	0.00		B
01352			PAGNOZZI PLUMBING & HEATING					
	12-01545	10/22/12	EQUIPMENT REPAIR	Open	210.00	0.00		
05458			PITNEY BOWES					
	12-01556	10/22/12	POSTAGE MACHINE LEASE OCT 2012	Open	639.00	0.00		
03385			POLAND SPRING					
	12-00074	01/23/12	WATER DELIVER F/ REC OFFICE	Open	10.45	0.00		B
	12-00106	01/23/12	WATER DELIVERY	Open	11.05	0.00		B
	12-00303	02/24/12	WATER DELIVERY	Open	297.46	0.00		B
	12-01574	10/25/12	WATER DELIVERY - 9/15-10/11/12	Open	61.73	0.00		
					<u>380.69</u>			
00717			POSTMASTER, HACKENSACK					
	12-01651	11/16/12	PERMIT #2688 FEE	Open	190.00	0.00		
03571			PRECISON PRINTING					
	12-01415	09/24/12	BUSINESS CARDS - L. SCHUSTER	Open	42.00	0.00		
03215			PRIEST, AMY					
	12-01686	11/17/12	FALL INSTRUCTOR YOGA CLASSES	Open	1,280.00	0.00		
06338			PRIME MSP					
	12-00358	03/08/12	MONTHLY HOSTING FEE	Open	297.00	0.00		B
00288			PUBLIC SERVICE ELECTRIC & GAS					
	12-01400	09/24/12	UTILITIES JULY 2012	Open	2,983.07	0.00		
	12-01488	10/05/12	GAS & ELECTRIC AUG 2012	Open	2,868.16	0.00		
	12-01567	10/22/12	GAS & ELECTRIC SEPT 2012	Open	9,990.85	0.00		
	12-01568	10/22/12	ST LIGHT, POLE #1174	Open	8,208.81	0.00		
	12-01600	10/29/12	SYLVN PK LIGHTS LL	Open	282.78	0.00		
	12-01630	11/16/12	SYLVAN PARK LIGHTS	Open	151.69	0.00		
	12-01661	11/16/12	PSE&G OCTOBER 2012	Open	8,145.59	0.00		
	12-01662	11/16/12	ST LIGHTS /POLE #1174	Open	8,384.37	0.00		
	12-01683	11/17/12	SP GAS & ELECTRIC SEPT 2012	Open	1,243.98	0.00		
					<u>42,259.30</u>			
06254			PURCHASE POWER					
	12-01702	11/26/12	BALANCE OWED TO PURCHASE PLAN	Open	3,131.88	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02652 QUALITY TRANSMISSION	12-01525	10/21/12	TRANSMISSION FOR LPD #902	Open	2,500.00	0.00		
05654 RACHLES/MICHELE'S OIL CO.	12-01086	07/19/12	GASOLINE	Open	5,140.16	0.00		B
00155 REGIONAL COMMUNICATIONS, INC.	12-01404	09/24/12	MOROTOLA MINITOR V PAGERS	Open	11,285.95	0.00		
06517 RICHARD C. GWIN	12-01571	10/22/12	ARBITRATOR'S SERVICES - WRIGHT	Open	843.80	0.00		
00330 SAFETY KLEEN CORP.	12-00242	02/07/12	MOTOR OIL/LUBRICANTS	Open	25.00	0.00		B
00331 SANITATION EQUIPMENT CORP.	12-00483	03/23/12	HEAVY EQUIPMENT REPAIR	Open	359.78	0.00		B
01251 SHERWIN WILLIAMS	12-01337	09/10/12	MISC DISPOSAL MATERIALS	Open	2,191.47	0.00		B
01433 SILVER MASON SUPPLY CO.	12-00247	02/07/12	STREET SYSTEM	Open	80.85	0.00		B
03279 SP & SK LLC	12-01453	10/01/12	KOREAN INTER. 09/11/12	Open	150.00	0.00		
	12-01547	10/22/12	KOREAN INTERPRETATION 9/25/12	Open	150.00	0.00		
					<u>300.00</u>			
05569 SPRINT	12-01116	07/19/12	OEM CELL PHONE	Open	228.92	0.00		B
04851 STATE OF NEW JERSEY	12-01558	10/22/12	BALANCE DUE SUMMARY	Open	2,081.39	0.00		
03500 SUNG JULIE	12-01628	11/16/12	FALL 29012 INST PAY - MUSIC	Open	990.00	0.00		
00933 SUPERIOR DISTRIBUTORS	12-00858	06/04/12	VEHICLE MAINTNANCE	Open	121.44	0.00		B
05784 THE BAG LADY	12-01589	10/25/12	MERCH PURCHASED	Open	10.50	0.00		
01179 THOMAS P. ROWE	12-01542	10/22/12	REIMBURSEMENT F/ NEW CAR	Open	85.00	0.00		
05902 THOMSON GALE	12-01159	08/03/12	LARGE PRINT BOOKS	Open	75.41	0.00		B
04330 TILCON-NJ	12-01142	08/03/12	STREET SYSTEM	Open	254.34	0.00		B

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00382 TRAFFIC SAFETY & EQUIPMENT CO.	12-01640	11/16/12	TRAFFIC CONES	Open	1,192.50	0.00		
02980 TREASURER STATE OF N.J.	12-01490	10/05/12	DCA FEES 3RD QUARTER	Open	2,070.00	0.00		
06361 TRI-COUNTY TERMITE &	12-00528	03/30/12	PEST CONTROL SERVICES	Open	470.00	0.00		B
	12-00556	04/02/12	PEST CONTROL 2012	Open	25.00	0.00		B
					<u>495.00</u>			
04974 UNITED MOTOR PARTS	12-01381	09/22/12	EQUIPMENT AQUISITION	Open	1,062.55	0.00		B
00150 UNITED WATER NJ	12-01423	09/24/12	UTILITES - WATER 8/1-8/29/12	Open	48.57	0.00		
	12-01546	10/22/12	WATER SERVICE - FIELD HOUSE	Open	49.50	0.00		
	12-01557	10/22/12	WATER SERVICE DPW, COUNTY RD	Open	169.28	0.00		
	12-01587	10/25/12	UTILITIES - WATER 8/29-9/27/12	Open	64.45	0.00		
	12-01648	11/16/12	WATER CHARGES 9/27-10/26/12	Open	259.41	0.00		
	12-01649	11/16/11	HYDRANTS 9/30-10/31/12	Open	8,095.50	0.00		
	12-01701	11/26/12	WATER SERVICE - FIELD HOUSE	Open	69.35	0.00		
					<u>8,756.06</u>			
02475 UNUM LIFE INSURANCE	12-01658	11/16/12	LONG TERM DISABILTY DEC 2012	Open	438.60	0.00		
00258 VERIZON	12-00049	01/23/12	2012 TELEPHONE SVCE SWIM POOL	Open	106.23	0.00		B
	12-00309	02/20/12	TELEPHONE SERVICE	Open	212.67	0.00		B
	12-00312	02/24/12	ELEVATOR TELEPHONE	Open	34.02	0.00		B
	12-01552	10/22/12	DEDICATED LINE F/BREATHLIZER	Open	35.74	0.00		
	12-01553	10/22/12	TELEPHONE SERVICE - POLICE	Open	1,307.00	0.00		
	12-01572	10/25/12	ANALOG CKT - LOC CHAN	Open	616.42	0.00		
	12-01626	11/19/12	DEDICATED LINE F/BREATHLIZER	Open	35.70	0.00		
	12-01652	11/16/12	BH TELEPHONE SERVICE	Open	1,882.90	0.00		
	12-01697	11/21/12	POLICE TELEPHONE	Open	1,513.53	0.00		
					<u>5,744.21</u>			
03156 VERIZON BUSINESS	12-01554	10/22/12	LONG DISTANCE SVCE	Open	227.86	0.00		
	12-01659	11/16/12	LONG DISTANCE OCT 2012	Open	265.59	0.00		
					<u>493.45</u>			
01273 VERIZON WIRELESS	12-00080	01/23/12	BUS CELL PHONE SERVICE	Open	23.85	0.00		B
	12-01573	10/25/12	POLICE AIRCARDS - WIRELESS	Open	280.25	0.00		
					<u>304.10</u>			
06279 VFIS SPECIALTY BENEFITS DIV.	12-01665	11/17/12	FD LIFE INSURANCE DEC 2012	Open	1,387.35	0.00		

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
05783 WASTE MANAGEMENT OF NJ INC.	12-01016	06/28/12	TIPPING FEES	Open	20,038.73	0.00		B
04293 WINNETT'S CLEANING SERVICE	12-01644	11/16/12	CLEANING MAINTENANCE OCT 2012	Open	1,050.00	0.00		
5749 YANETH METZDORF	12-01688	11/17/12	FALL INSTRUCTOR ZUMBA	Open	1,600.00	0.00		
Total Purchase Orders:		171	Total P.O. Line Items:	351	Total List Amount:	1,211,000.54	Total Void Amount:	0.00

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	1-01	11.00	0.00
CURRENT FUND	2-01	1,175,230.83	0.00
SWIM POOL FUND	2-05	<u>1,485.21</u>	<u>0.00</u>
Year Total:		1,176,716.04	0.00
	C-04	15,517.23	0.00
GRANT FUND APPROPRIATED:	G-01	3,226.69	0.00
	T-03	1,894.72	0.00
	T-13	165.00	0.00
	T-16	2,081.39	0.00
	T-20	10,809.11	0.00
	T-23	575.16	0.00
	T-25	<u>4.20</u>	<u>0.00</u>
Year Total:		15,529.58	0.00
Total of All Funds:		<u><u>1,211,000.54</u></u>	<u><u>0.00</u></u>

Attachment: Claims List 112612 (RES-2012-250 : Authorizing Treasurer to Pay Claims List)



**Borough of Leonia**  
 312 Broad Ave  
 Leonia, NJ 07605

**Lynn Hemmer**  
 Acting Borough Clerk

[www.leonianj.gov](http://www.leonianj.gov)

Meeting: 11/26/12 07:30 PM

**2012 ORDINANCE GENERAL**

✓ Vote Record - Ordinance ORD-2012-17						
<input checked="" type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended	Peter Knott	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Philip Choi	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Gil Hawkins	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	I.S. Pak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto	Doug Salmon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Introduced	Darryl Whitter	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ORD-2012-17: Adjustment & Amending Chapter 37 Entitled "Land Use Procedures"**

**BOROUGH OF LEONIA  
 STATE OF NEW JERSEY  
 ORDINANCE NO.**

**AN ORDINANCE ESTABLISHING A  
 A JOINT PLANNING BOARD/ZONING BOARD  
 OF ADJUSTMENT AND AMENDING  
 CHAPTER 37 ENTITLED "LAND USE PROCEDURES"  
 OF THE REVISED GENERAL ORDINANCES OF LEONIA  
 COUNTY OF BERGEN  
 AND STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Leonia, that Chapter 37 entitled "Land Use Procedures" of the Ordinances of the Borough of Leonia is hereby amended so as to consolidate all powers, duties, authority and jurisdiction of the Board of Adjustment of the Borough of Leonia with those of the Planning Board of the Borough of Leonia and granting the same to the latter pursuant to and in accordance with N.J.S.A. 40:55D-45 in order that it act as the sole municipal land use board of the borough and further amending and supplementing related provisions of the code to effectuate the said transition and that those portions of the aforesaid set forth below are hereby amended as follows and that portions of the Ordinance not set forth below shall remain unchanged:

**WHEREAS**, N.J.S.A. 40:55D-25(c) authorizes municipalities having a population of 15,000 or less to establish by Ordinance, a single nine-member Planning Board to exercise all the powers of the Planning Board and Board of Adjustment; and

**WHEREAS**, the Mayor and Council find that the Borough of Leonia has a population of less than 15,000, and that the adoption of an Ordinance establishing a joint Planning and Zoning Board is in the best interest of the Borough;

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

**Section 1.** The Code of the Borough of Leonia is hereby amended by repealing Ordinance 2012-13, thereby reinstating §37-1 through §37-31.

**Section 2.** The Code of the Borough of Leonia is amended by amending Section 37-2B to read as follows:

**§37-2B - Members.**

B. <<http://www.ecode360.com/9248797>> Class II: one official of the Borough, other than a member of the governing body, to be appointed by the Mayor, provided that, if there is an Environmental Commission, the member of such Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be deemed to be a member of Class II.

**Section 3.** The Code of the Borough of Leonia is amended by amending Section 37-3B to read as follows:

**§37-3B - Alternate members.**

B. Four alternate members shall be appointed for Class IV to serve terms of two years; provided, however, that the initial terms of two of the alternate members shall be one year and the initial term of two of the alternate members shall be two years, respectively. Such alternate members shall be designated by the Chairperson as "Alternate No. 1," "Alternate No. 2," "Alternate No. 3," and "Alternate No. 4" and shall serve during the absence or disqualification of any regular member of Class IV.

**Section 4.** The Code of the Borough of Leonia is amended by amending Section 37-4A to read as follows:

**§37-4A - Compensation; membership on other boards; terms.**

A. All members of the Planning Board shall serve without compensation, and the members of Class IV shall hold no other municipal office, except that one of such members may be a member of the Board of Education and one of such members may be a member of the Environmental Commission.

**Section 5.** The Code of the Borough of Leonia is amended by amending Section 37-4D to read as follows:

**§37-4D - Compensation; membership on other boards; terms.**

D. The term of a Class IV member who is also a member of the Board of Adjustment or Board of Education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first.

**Section 6.** The Code of the Borough of Leonia is amended by amending Section 37-5 to read as follows:

**§37-5 - Organization; powers and duties.**

(1) <<http://www.ecode360.com/9248797>> To make and adopt and, from time to time, amend a Master Plan for the physical development of the Borough, including any areas outside its

boundaries which, in the Board's judgment, bear essential relation to the planning of the Borough, in accordance with the provisions of N.J.S.A. 40:55D-28.

(2) <<http://www.unicode360.com/9248797>> To administer the provisions of Chapter 250 <<http://www.unicode360.com/9253678>>, Subdivision of Land, and Chapter 236, Site Plan Review, in accordance with the provisions of said chapters and N.J.S.A. 40:55D-1 et seq.

(3) <<http://www.unicode360.com/9248797>> To participate in the preparation and review of progress or plans required by state or federal law or regulations.

(4) <<http://www.unicode360.com/9248797>> To assemble data on a continuing basis as part of a continuous planning process.

(5) <<http://www.unicode360.com/9248797>> To annually prepare a program of municipal capital improvement projects projected over a term of six years, and amendments thereto, and recommend same to the governing body, if so authorized by the governing body.

(6) <<http://www.unicode360.com/9248797>> To consider and report to the governing body within 35 days after referral as to any proposed development regulation submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26a, and also pass upon other matters specifically referred to the Planning Board by the Borough Council, pursuant to the provisions of N.J.S.A. 40:55D-26b.

(7) <<http://www.unicode360.com/9248797>> When reviewing applications for approval of subdivision plats, site plans or conditional uses, to grant, to the same extent and subject to the same restrictions as the Zoning Board of Adjustment, variances pursuant to N.J.S.A. 40:55D-70c from lot area, lot dimensional setback and yard requirements, provided that such relief from lot area requirements shall not be granted for more than one lot.

(8) <<http://www.unicode360.com/9248797>> To perform such other advisory duties as are assigned to it by ordinance of the governing body for the aid and assistance of the governing body or other agencies or officers of the Borough.

(9) Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of Chapter 290 <<http://www.unicode360.com/9254523>>, Zoning.

(10) Hear and decide in accordance with the provisions of any such ordinance, requests for interpretation of the Zoning Map or Ordinance or for decisions upon other special questions upon which such Board is authorized to pass by any zoning or official map ordinance.

(11) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions or by reason of other extraordinary and exceptional situation or condition of such piece of property the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship; provided, however, that no variance shall be granted under this subsection to allow a structure or use in a district restricted against such structure or use, and provided further that the proposed development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the Planning Board shall review a request for a variance pursuant to Article 7, Subsection 47a of the Municipal Land Use Act (N.J.S.A. 40:55D-60).

(12) Grant a variance to allow a structure or use in a district restricted against such structure or use in particular cases and for special reasons, but only by affirmative vote of at

least 2/3 of the full authorized membership of the Board. No variance or other relief may be granted under the terms of this section unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance. An application under this section may be referred to any appropriate person or agency, including the Planning Board, for its report, provided that such reference shall not extend the period of time within which the Planning Board shall act.

(13) Direct issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or reserved public area.

(14) Direct issuance of a permit for a building or structure not related to a street.

**Section 7.** The Code of the Borough of Leonia is amended by repealing the following sections thereof:

**§37-9 - Board of Adjustment.**

Sections 37-9, 37-10, 37-11, 37-12 and 37-13 are hereby repealed in their entirety.

**Section 8.** The Code of the Borough of Leonia is amended by amending Section 37-14 to read as follows:

**§37-14 - Appeals and applications.**

A. <<http://www.ecode360.com/9248834>> Appeals to the Planning Board may be taken by any interested party affected by any decision of an administrative officer of the municipality based on or made in the enforcement of the Zoning Ordinance or Official Map. Such appeals shall be taken within 65 days of said decision by filing a notice of appeal with the officer from whom the appeal is taken, specifying the grounds of such appeal. Said officer shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

B. <<http://www.ecode360.com/9248834>> A developer may file an application for development with the Planning Board for action under any of its powers without prior application to an administrative officer.

**Section 9.** The Code of the Borough of Leonia is amended by amending Section 37-15 to read as follows:

**§37-15 - Time for decision.**

The Planning Board shall render a decision not later than 120 days after the date an appeal is taken from the decision of an administrative officer or of the submission of a complete application for development to the Board.

**Section 10.** The Code of the Borough of Leonia is amended by amending Section 37-15B to read as follows:

**§37-15B - Time for decision.**

This section shall be repealed in its entirety.

**Section 11.** The Code of the Borough of Leonia is amended by amending Section 37-16 to read as follows:

**§37-16 - Modification on appeal.**

The Planning Board may reverse or affirm, wholly or in part, or may modify the action, order, requirement, decision, interpretation or determination appealed from, and to that end the Board shall have all the powers of the administrative officer from whom the appeal is taken.



**Section 12.** The Code of the Borough of Leonia is amended by amending Section 37-17 to read as follows:

**§37-17 - Stay of proceedings; exception.**

An appeal to the Planning Board shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made, unless the officer from whose action the appeal is taken certifies to the Board, after the notice of appeal is filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Superior Court.

**Section 123** The Code of the Borough of Leonia is amended by amending Section 37-18 to read as follows:

**§37-18 - Expiration of variance.**

Any variance from the terms of this chapter hereafter granted by the Planning Board permitting the erection or alteration of any structure or structures or permitting a specified use of any premises shall expire by limitation as hereinafter provided, unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance or unless such permitted use has actually been commenced, within one year from the date of entry of the judgment or determination of the Planning Board; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Planning Board to the governing body or to a court of competent jurisdiction until the termination in any manner of such appeal or proceeding.

**Section 14.** The Code of the Borough of Leonia is amended by amending Section 37-19 to read as follows:

**§37-19 - Vacancies.**

Vacancies on the Planning Board shall be filled for the unexpired terms, as above provided.

**Section 15.** The Code of the Borough of Leonia is amended by amending Section 37-20 to read as follows:

**§37-20 - Conflicts of interest.**

No member of the Planning Board shall act on any matter in which he has, either directly or indirectly, any personal or financial interest. Whenever any such member shall disqualify himself from acting on a particular matter, he shall not continue to sit with the Board on the hearing of such matter nor participate in any discussion or decision relating thereto.

**Section 16.** The Code of the Borough of Leonia is amended by amending Section 37-21 to read as follows:

**§37-21 - Removal from Board.**

Any member of the Planning Board, except the Class I member, may be removed by the governing body for cause, after a public hearing, if he or she requests the same.

**Section 17.** The Code of the Borough of Leonia is amended by amending Section 37-22 to read as follows:

**§37-22 - Administration; meetings; hearings.**

A. <http://www.ecode360.com/9248859>> The Planning Board shall adopt and may amend reasonable rules and regulations not inconsistent with state law or any applicable Borough ordinance for the administration of its functions, powers and duties. Copies of all such rules and regulations and any amendments thereto shall be filed in the office of the Borough Clerk and shall be made available to any person upon request and payment of the fee for such copy.

B. <<http://www.ecode360.com/9248859>> The Planning Board shall, by its rules, fix the time and place for holding its regular meetings. Regular meetings shall be scheduled not less than once a month and shall be held as scheduled unless canceled for lack of applications for development or appeals to process. Special meetings of the Planning Board may be held at the call of the Chairmen or at the request of any two members. Such meetings shall be held on notice to the members of the Board and the public in accord with state law. All regular meetings and special meetings shall be open to the public, and minutes of such meetings shall be kept and thereafter be made available for public inspection during normal business hours at the office of the Borough Clerk.

C. <<http://www.ecode360.com/9248859>> The Planning Board shall hold a hearing on each application for development or adoption, revision or amendment of the Master Plan. The Planning Board shall also hold a hearing on each application and appeal to come before it pursuant to § 37-13 <<http://www.ecode360.com/9248842>> of this chapter. The Planning Board shall make rules governing such hearings. Any maps and documents for which approval is sought at such hearings shall be on file and available for public inspection during normal business hours at the office of the Borough Clerk at least 10 days before the date of the hearing. The Board shall provide for the verbatim recording of all proceedings at such hearings by either stenographic, mechanical or electronic means and shall furnish a transcript or duplicate recording in lieu thereof on request of any interested party at such party's expense upon payment of the fee hereinafter set forth.

**Section 18.** The Code of the Borough of Leonia is amended by amending Section 37-27 to read as follows:

**§37-27 - Proof of payment of taxes required.**

Pursuant to the provisions of N.J.S.A. 40:55D-39 and 55D-65, every application for development submitted to the Planning Board shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application, or, if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by the Board shall be conditioned upon either the payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected.

**Section 19.** The Code of the Borough of Leonia is amended by amending Section 37-28 to read as follows:

**§37-28 - Appeals.**

An appeal to the Planning Board may be taken by any interested party affected by any decision of the administrative officer of the municipality based on or made in the enforcement of the Zoning Ordinance or Official Map. Such appeal shall be taken within the time required under § 37-14 <<http://www.ecode360.com/9248850>> of this chapter.

**Section 20.** The Code of the Borough of Leonia is amended by amending Section 37-29 to read as follows:

**§37-29 - Appeals to governing body.**

A. <<http://www.ecode360.com/9248884>> In accordance with and subject to the provisions of N.J.S.A. 40:55D-17, any interested party may appeal to the governing body any final decision of the Planning Board granting a variance pursuant to N.J.S.A. 40:55D-70(d). Such appeal shall be made within 10 days of the date of publication of such final decision. The appeal to the

governing body shall be made by serving a municipal clerk, in person or by certified mail, with a notice of appeal specifying the grounds thereof, the name and address of the appellant and the name and address of appellant's attorney, if represented. Such appeal shall be decided by the governing body only upon the record established before the Board.

B. <<http://www.ecode360.com/9248884>> Notice of the meeting to review the record below shall be given by the Borough Council, by personal service or certified mail, to the appellant, to those entitled to notice of a decision pursuant to law and to the Planning Board at least 10 days prior to the date of the meeting. The parties may submit oral and written arguments on the record at such meeting, and the Borough Council shall provide for verbatim recording and transcript of such meeting.

C. <<http://www.ecode360.com/9248884>> The appellant shall either, within five days of service of notice of appeal pursuant to Subsection <<http://www.ecode360.com/9248884>> hereof, pay to the Secretary of the Planning Board a deposit of \$150 for preparation by said Board of eight copies of the transcript of the Board's proceedings for use by the governing body (said deposit to represent the estimated cost of providing eight transcripts; if the actual cost exceeds the deposit, the balance shall be remitted by the appellant within seven days of notification by the Board) or, within 35 days of service of notice of appeal, submit eight copies of the transcript of the Board's proceedings to the Borough Clerk for use by the governing body. Failure of the appellant to comply with the above may result in dismissal of the appeal for failure to prosecute. The governing body shall conclude a review of the record below not later than 95 days from the date of filing the notice of appeal unless special circumstances exist which justify the governing body to extend this period for a reasonable time. Failure of the governing body to hold a hearing and conclude a review of the record below and to render a decision within the aforementioned time period shall constitute an affirmance of the Board's decision.

D. <<http://www.ecode360.com/9248884>> The governing body may reverse, remand or affirm, with or without imposition of conditions, the final decision of the Planning Board approving a variance pursuant to N.J.S.A. 40:55D-70(d). The review shall be made on the record made before the Board.

E. <<http://www.ecode360.com/9248884>> The affirmative vote of a majority of the full authorized membership of the governing body shall be necessary to reverse, remand or affirm, with or without conditions, any final action of the Board.

F. <<http://www.ecode360.com/9248884>> Any appeal to the Borough Council shall stay all proceedings in furtherance of the action regarding which the decision appealed from was made, unless the Planning Board certifies to the Borough Council after any notice of appeal has been filed with such Board, that by reasons of fact stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court on application, upon notice to the Board from whom the appeal is taken and on good cause shown.

G. <<http://www.ecode360.com/9248884>> The Borough Council shall mail a copy of the decision to the appellant or, if represented, to appellant's attorney, without separate charge, and for a reasonable charge to any interested party who has requested it, not later than 10 days after the date of the decision. A brief notice of the decision shall be published in the official newspaper of the Borough. Such publication shall be arranged by the applicant. The period of time in which an appeal to a court of competent jurisdiction may be made shall run from the first publication.

**Section 21.** If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

**Section 22.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 23.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Lynn Hemmer,  
Acting Borough Clerk  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

\_\_\_\_\_  
John DeSimone,  
Mayor

, 2012

, 2012



**Borough of Leonia**  
 312 Broad Ave  
 Leonia, NJ 07605

**Lynn Hemmer**  
 Acting Borough Clerk

[www.leonianj.gov](http://www.leonianj.gov)

Meeting: 11/26/12 07:30 PM

**2012 ORDINANCE GENERAL**

✓ Vote Record - Ordinance ORD-2012-15						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn <input type="checkbox"/> Veto <input type="checkbox"/> Introduced			Yes/Aye	No/Nay	Abstain	Absent
	Peter Knott	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Philip Choi	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gil Hawkins	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	I.S. Pak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Doug Salmon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Darryl Whitter	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ORD-2012-15: Amending Chapter 194 of the Code of the Borough of Leonia Titled “Vehicles and Traffic.”**

AN ORDINANCE AMENDING Chapter 194 of the Code of the Borough of Leonia titled “Vehicles and Traffic.”

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

**Section 1.** Chapter 194 titled “Vehicles and Traffic” is hereby amended by amending Section 194-31 titled “No parking certain hours” to add the following:

**§194-31 - No parking certain hours.**

Name of Street/Location	Side	Hours/days
Broad Avenue - from the edge of Fort Lee Road to a point 67 feet south	East	Monday through Friday 9:00 a.m. to 2 p.m.

**Section 2.** Chapter 194 titled “Vehicles and Traffic” is hereby amended by amending Section 194-39 titled “Loading zones” to read as follows:

**§194-39 - Loading zones.**

Name of Street	Side	Location
----------------	------	----------

Broad Avenue

East

Beginning at the east edge of Fort Lee Road and ending at a point 67 feet southerly along Broad Avenue on Monday through Friday between the hours of 9:00 a.m. and 2:00 p.m.

**Section 3.** If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

**Section 4.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 5.** this Ordinance shall take effect upon final passage and publication to law.

Attest:

Approved:

\_\_\_\_\_  
Lynn Hemmer,  
Acting Borough Clerk

\_\_\_\_\_  
John DeSimone,  
Mayor

Introduced:                   ,2012  
Adopted:                       ,2012