

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX**

**May 7, 2012
7:30PM**

1. **FLAG SALUTE**

2. **ROLL CALL** Mayor DeSimone(), Councilpersons, Knott (), Choi (), Hawkins (), Pak,() Salmon (), Whitter (), Borough Attorney Giblin ()Borough Administrator Terhune (), Borough Clerk Fran Lehmann (), Deputy Borough Clerk Lynn Hemmer

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. **PRESENTATIONS**

5. **APPOINTMENTS**

6. **COMMENTS FROM THE PUBLIC**

Limited to two (2) minutes per speaker (Agenda items only 20 – minute duration)

7. **APPROVAL OF MINUTES**

Council Meeting	April 16, 2012,
Closed Session	April 16, 2012

8. **RESOLUTIONS**

- 12-150** Authorizing the use of the Library Parking Lot for Leonia Day
12-151 Appointing Bradley Wilds to the Shade Tree Commission
12-152 Authorizing the Hiring of Swim Pool Staff for 2012
12-153 Authorizing New Bus Shelter
12-154 Authorizing the Joining of a Cooperative Purchasing Agreement with Cranford Police Department
12-155 Authorizing Redemption of Tax Sale Certificate #11-00001
12-156 Authorizing Redemption of Tax Sale Certificate #10-00002
12-157 Appointing Additional Lifeguard
12-158 Authorizing Block Party at 409 Pine Hill Road

A motion was made by Councilperson _____, seconded by Councilperson _____ to approve the resolutions.

ROLL CALL Councilpersons, Knott, Choi, Hawkins, Pak, Salmon, Whitter

9. **INTRODUCTION OF ORDINANCES**

Introduction of Ordinance 12-12 entitled:

AN ORDINANCE DESIGNATING BUS STOPS AND AMENDING A PORTION OF CHAPTER 194 OF THE BOROUGH OF LEONIA

BOROUGH CLERK READ BY TITLE

A motion was made by Councilperson ____ Seconded by Councilperson _____ to approve on first reading Ordinance 12-12

ROLL CALL Councilperson, Knott, Choi, Hawkins, Pak, Salmon, Whitter

10. **ADOPTION OF ORDINANCES**

Adoption of Ordinance 11-12 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$618,550 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BOROUGH CLERK READ BY TITLE

Public Hearing

A motion was made by Councilperson ____ Seconded by Councilperson _____ to approve on final reading Ordinance 11-12

ROLL CALL Councilperson, Knott, Choi, Hawkins, Pak, Salmon, Whitter

11. **UNFINISHED BUSINESS**

a) Lenox Towing (Borough Administrator)

12. **NEW BUSINESS**

a) Merger of Planning and Zoning Board (Council President Knott and Councilman Whitter)

b) Letter from Township of Galloway

c) Town Meeting May 9, 2012 (Mayor DeSimone)

13. **CORRESPONDENCE**

14. **COMMENTS FROM THE PUBLIC**

Limited to five (5) minutes per speaker at the discretion of the chair
(duration of thirty (30) minutes)

15. **CLOSED SESSION**

16. **ADJOURNMENT** (10 P.M. unless motion to extend)

FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -150
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

WHEREAS, the Environmental Commission and the Shade Tree Commission of the Borough of Leonia has, in the past held a popular and successful event: Earth/Arbor Day; and

WHEREAS, the Commission will again be organizing Earth/Arbor Day in Leonia on May 20, 2012 at 1:00PM; and

WHEREAS, the Environmental Commission has requested the use of the Library Parking Lot

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Leonia hereby grants approval for the use of the parking lot behind the Library for Earth/Arbor Day

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -151
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, Mr. David Dolch has resigned from the Leonia Shade Tree Commission; and

WHEREAS, the Mayor and Council of the Borough of Leonia hereby accepts the resignation of Mr. Dolch; and

WHEREAS, Mr. Bradley Wilds has expressed an interest in serving on the Shade Tree Commission; and

WHEREAS, Mayor De Simone is authorized by the Borough Code to appoint members to serve on the Shade Tree Commission; and

WHEREAS, a vacancy currently exists on the Shade Tree Commission

NOW, THEREFORE BE IT RESOLVED, that Bradley Wilds is hereby appointed to fill the unexpired term of Mr. David Dolch to expire 12/31/2014.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -152
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

BE IT RESOLVED, that the Leonia Recreation Commission enters into a contract to hire the following staff for the 2012 Swim Club Season funded by the Swim Club Budget:

ASSISTANT MANAGERS POOL

Stephanie Ardizzone, at a salary of \$18.00 per hour.
Anthony Burke, at a salary of \$18.00 per hour

LIFEGUARDS

Mina (jenny) Lee at a salary of 10.90 per hour
Ryan McQuaid, at a salary of \$11.65 per hour
Lindsey Root, , at a salary of \$11.65 per hour
Patrick Ryan, , at a salary of \$11.65 per hour
Christian Bacchia, , , at a salary of \$8.75 per hour
Corey Davis, at a salary of \$9.50 per hour
Timothy Ryan, at a salary of \$9.15 per hour
Anne Dottino, at a salary of \$9.15 per hour
Dylan D'Angelo, at a salary of \$8.75 per hour
Max D'Angelo, at a salary of \$8.75 per hour
Ryan Abi-Hanna, at a salary of \$8.25 per hour
Victor Galfo, at a salary of \$8.65 per hour
Shane Riordan, at a salary of \$8.25 per hour
Jorge Hernandez, at a salary of \$8.00 per hour

ADMISSIONS DESK

Emily Ascitutto, at a salary of \$8.75 per hour
Danielle Beldoch, at a salary of \$8.25 per hour
Miya Okado, at a salary of \$8.25 per hour

ARTS & CRAFTS INSTRUCTOR

Rosemary McMahon, at a salary of \$13.50 per hour

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -153
DATE
Carried
Defeated
Tabled
Approved

REQUESTING BUS SHELTERS

WHEREAS, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the Governing Body of the Borough of Leonia in New Jersey may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Borough of Leonia, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby made by the Borough of Leonia to the New Jersey Transit Corporation for the purchase and installation of 1 bus shelter as set forth in Exhibit A, made a part hereof.

FURTHER, be it resolved, that the Mayor and the Municipal Clerk be authorized to execute an agreement or agreements with NJ Transit to arrange for the purchase and installation of the shelters

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -154
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM:

A RESOLUTION AUTHORIZING THE BOROUGH OF LEONIA TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 7, 2012 the Governing Body of the Borough of Leonia, County of Bergen , State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED, this RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Leonia

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, Mayor DeSimone is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

COOPERATIVE PRICING SYSTEM AGREEMENT
CRANFORD POLICE COOPERATIVE PRICING SYSTEM
AGREEMENT FOR A COOPERATIVE PRICING SYSTEM

This Agreement made and entered into this ____ day of _____, 2012, by and between the **Township of Cranford** and the **Borough of Leonia**, who desire to participate in the Cranford Police Cooperative Pricing System.

WITNESSETH

WHEREAS, N.J. S.A 40A:11-11(5), specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the **Township of Cranford** is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all parties hereto have approved the within Agreement by Resolution in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or services to be priced cooperatively may include **multi-space pay stations** and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis.
2. The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
3. The Lead Agency, on behalf of all participating contracting units, shall upon approval of the registration of the System and annually thereafter on the anniversary of the registration of the system publish a legal ad in such format as required by N.J.A.C. 5:34-7.9(a) in its official newspaper normally used for such purposes by it to include such information as:
 - (A) The name of Lead Agency soliciting competitive bids or informal quotations.

- (B) The address and telephone number of Lead Agency.
 - (C) The names of the participating contracting units.
 - (D) The State Identification Code assigned to the Cooperative Pricing System.
 - (E) The expiration date of the Cooperative Pricing System.
4. Each of the participating contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities desired, the location for delivery and other requirements, to permit the preparation of specifications as provided by law.
 5. The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
 6. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the participating contracting units desiring to purchase any item.
 7. The Lead Agency when advertising for bids or soliciting informal quotations shall receive bids or quotations on behalf of all participating contracting units. Following the receipt of bids, the Lead Agency shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:
 - (A) The quantities ordered for the Lead Agency's own needs, and
 - (B) The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.
 8. The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.
 9. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.

10. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
11. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
12. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.
13. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
14. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.
15. It is agreed that each participating contracting unit shall pay the Lead Agency an annual fee of \$0 as its estimated prorated share of the administrative costs incurred by the Lead Agency. In the event this estimated prorated share should prove insufficient, each party agrees to pay an additional prorated sum to be determined by all of the participating contracting units.
16. This Agreement shall become effective immediately upon the review and approval of the Director of the Division of Local Government Services and shall continue in effect until any party to this Agreement shall give written notice of its intention to terminate its participation.
17. Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.
18. All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.
19. This Agreement shall be binding upon and ensure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE TOWNSHIP OF CRANFORD

BY: _____ ATTEST BY: _____
Eric G. Mason, Interim Township Administrator

FOR THE BOROUGH OF LEONIA

BY: _____ ATTEST BY: _____

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -155
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

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 \$54,950.97, payable to "U.S. Bank-Cust. For Pro Capital L" for the Redemption of Tax Sale Certificate #11-00001, dated 12/08/2010 on property known as Block 802, Lot 5, Qualifier C0001 400 Grand Avenue. This amount includes a Premium of \$10,000.00.

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

BE IT FURTHER RESOLVED, that the Lien Holder bid and paid, \$10,000.00 as a Premium to the Borough of Leonia on the day of sale for Tax Sale Certificate #11-00001.

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

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

1. Chief Financial Officer
2. Collector

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -156
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

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 \$52,406.03, payable to "72 Oak Street Holdings LLC" for the Redemption of Tax Sale Certificate #10-00002, dated 12/08/2010 on property known as Block 802, Lot 5, Qualifier C0004, 406 Grand Avenue. This amount includes a Premium of \$9,400.00.

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

BE IT FURTHER RESOLVED, that the Lien Holder bid and paid, \$9,400.00 as a Premium to the Borough of Leonia on the day of sale for Tax Sale Certificate #10-00002.

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

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

1. Chief Financial Officer
2. Tax Collector

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 -157
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

BE IT RESOLVED, that the Leonia Recreation Commission enters into a contract to hire the following staff for the 2012 Swim Club Season funded by the Swim Club Budget:

LIFEGUARDS

Luis M. Midence, at a rate of \$8.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia to approve the aforementioned employee and salary

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Knott						
Choi						
Hawkins						
Pak						
Salmon						
Whitter						
De Simone						

#12 - 158
DATE May 7, 2012
Carried
Defeated
Tabled
Approved

WHEREAS, Luisa Contreras has requested to have a Block Party at 400 Pine Hill Road, on Saturday, June 16th from 1PM- 7:30PM: and

WHEREAS, Luisa Contreras is requesting barricades for that afternoon and understands that residents and emergency vehicles must have access

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the Block Party is hereby approved.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

**BOROUGH OF LEONIA
ORDINANCE 11-12**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$618,550 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Leonia, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and new communication and signal systems equipment in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefore.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the various grants and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the various grants hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Reconstruction of Oakdene Avenue (from Grand Avenue to Broad Avenue), including sewer improvements. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, additional roads may be improved. It is hereby determined and stated that said road to be improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$293,000
State Grant Appropriated	\$146,500
Down Payment Appropriated	\$ 7,000
Bonds and Notes Authorized	\$139,500
Period of Usefulness	10 years

B. Undertaking of improvements to various Borough buildings. It is hereby determined and stated that the public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$130,000
Down Payment Appropriated	\$ 6,200
Bonds and Notes Authorized	\$123,800
Period of Usefulness	15 years

C. Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment for the use of the Fire Department consisting of (i) turnout gear, (ii) bail-out systems and harnesses, (iii) pagers and (iv) mobile radios.

Appropriation and Estimated Cost	\$ 27,700
Down Payment Appropriated	\$ 1,330
Bonds and Notes Authorized	\$ 26,370
Period of Usefulness	5 years

D. Undertaking the following recreation improvement: installation of playground safety surfacing at Wood Park.

Appropriation and Estimated Cost	\$151,500
County Grant Appropriated	\$ 58,250
Down Payment Appropriated	\$ 4,445
Bonds and Notes Authorized	\$ 88,805
Period of Usefulness	15 years

E. Undertaking Borough-wide shade tree addition or replacement.

Appropriation and Estimated Cost	\$ 10,000
Down Payment Appropriated	\$ 500
Bonds and Notes Authorized	\$ 9,500
Period of Usefulness	15 years

F. Undertaking of the following improvements to the Public Library: (i) replacement of the tile flooring in the Meeting Room; and (ii) improvement to the building access ramp.

Appropriation and Estimated Cost	\$ 6,350
Down Payment Appropriated	\$ 400
Bonds and Notes Authorized	\$ 5,950
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$618,550
Aggregate Grants Appropriated	\$204,750
Aggregate Down Payment Appropriated	\$ 19,875
Aggregate Amount of Bonds and Notes Authorized	\$393,925

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$133,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$146,500 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Oakdene Avenue authorized in Section 4.A hereof.

Section 7. The sum of \$58,250 received or to be received as a grant from the County of Bergen Open Space, Recreation, Farmland and Historic Preservation Trust Fund is hereby appropriated to the payment of the cost of the improvement of Wood Park authorized in Section 4.D hereof.

Section 8. It is hereby determined and stated that moneys exceeding \$19,875, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$19,875 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 9. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$393,925 are hereby authorized to be issued

pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 10. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$393,925 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 11. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 12. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 12.48 years computed from the date of said bonds.

Section 13. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$393,925 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 14. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the various grants hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost

of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 15. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 18. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST:

Fran Lehmann, Borough Clerk

John De Simone, Mayor

**BOROUGH OF LEONIA
ORDINANCE 12-12**

**AN ORDINANCE DESIGNATING BUS STOPS AND AMENDING A PORTION
OF CHAPTER 194 OF THE BOROUGH OF LEONIA**

WHEREAS, the Borough of Leonia has determined that bus stops listed in the Borough code needed to be recognized and permanently established; and

WHEREAS, the Leonia Police Department has reviewed and approved this request; and

WHEREAS, the Mayor and Council of the Borough of Leonia believe the request is a bona fide concern and recommended locations are appropriate.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and council of the Borough of Leonia as follows:

Section 1. Schedule XII: Bus Stops, referred to in Chapter 194-41, Schedule XII: shall be amended to include the following locations:

A. The following locations are hereby designated as bus stops:

NEW LOCATION – ADDED

- (1) Along Grand Avenue Southerly on the West side thereof at:
- (a) Grand Avenue & Lakeview Avenue in front of 636 Grand Avenue
 - (b) Grand Avenue & Ray Avenue in front of 576 Grand Avenue
 - (c) Grand Avenue & Christie Heights Street by High School Entrance off of Grand Avenue across from 529 Grand Avenue.
 - (d) Grand Avenue & Hillside Avenue in front of 446 Grand Avenue
 - (e) Grand Avenue in front of 292 Grand Avenue
 - (f) Grand Avenue & Station Parkway in front of 256 Grand Avenue
 - (g) Grand Avenue by Sylvan Park

NEW LOCATION – ADDED

- (2) Along Grand Avenue Northerly on the East Side thereof at:
- (a) Grand Avenue & Ames in front of 167 Grand Avenue
 - (b) Grand Avenue & Christie Street (South of Christie Street)
 - (c) Grand Avenue & Prospect Street in front of 303 Grand Avenue
 - (d) Grand Avenue & Fort Lee Road in front of 359 Grand Avenue
 - (e) Grand Avenue – 411-415 Grand Avenue
 - (f) Grand Avenue & Hillside Avenue in front of 445 Grand Avenue

- (g) Grand Avenue & Christie Heights Street in front of 517 Grand Avenue
- (h) Grand Avenue & Van Orden Avenue in front of 561 Grand Avenue
- (i) Grand Avenue & Overlook Avenue in front of 605 Grand Avenue
- (j) Grand Avenue & Lakeview Avenue South of Lakeview Avenue

Section 2. INCONSISTENCIES AND CONFLICT

All Ordinances and parts of Ordinances and Resolutions insofar as they are inconsistent with any terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. UNCONSTITUTIONAL AND INVALID

If any section or clause, or phrase, of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining provisions of the ordinance. The Governing Body declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses and phrases may be declared unconstitutional or invalid.

Section 4. EFFECTIVE DATE

This Ordinance shall take effect on the earliest date allowed by law following first passage, adoption and publication.

Introduced: _____ day of _____ 2012
 Adopted: _____ day of _____ 2012

ATTEST:

 Fran Lehmann, Borough Clerk

 John DeSimone, Mayor