



## BOROUGH OF LEONIA

### REGULAR COUNCIL MEETING

~ Agenda ~

Fran Lehmann, Borough Clerk

305 Beechwood Pl  
Leonia, NJ 07605  
www.leonianj.gov

Monday, June 11, 2012

7:30 PM

Borough Annex

#### 1. FLAG SALUTE

#### 2. ROLL CALL

Attendee Name	Present	Absent	Late	Arrived
Mayor John DeSimone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council President Peter Knott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Philip Choi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Gil Hawkins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman I.S. Pak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Doug Salmon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Darryl Whitter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

#### 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

1. (ID # 1066) Presentation Red Light Cameras
2. (ID # 1074) Presentation Hillary Chalkin

#### 5. APPOINTMENTS

#### 6. COMMENTS FROM THE PUBLIC

#### 7. APPROVAL OF MINUTES

1. (ID # 1077) Council Minutes, May 21, 2012
2. (ID # 1078) Closed Session Minutes May 21, 2012

#### 8. RESOLUTIONS

1. RES-2012-165 Authorizing Chapter 159 for Clean Communities
2. RES-2012-166 Cancellation of Uncashed Checks
3. RES-2012-167 Authorizing Estimated Tax Bills
4. RES-2012-168 Liquor License Renewals

#### 9. INTRODUCTION OF ORDINANCE

#### 10. ADOPTION OF ORDINANCE

ORD-2012-14 Merger of Planning Board and Zoning Board

#### 11. UNFINISHED BUSINESS

1. (ID # 1069) Parking Kiosk

2. (ID # 1081) Building Department Personnel
12. NEW BUSINESS
  1. (ID # 1070) All Saints Church Sign
  2. (ID # 1079) Swiftreach Paid Service
13. COMMENTS FROM THE PUBLIC (Agenda and Non-Agenda items)
14. CORRESPONDENCE
15. CLOSED SESSION
  1. (ID # 1080) Personnel
16. ADJOURNMENT



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

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*Borough Clerk*

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**2012 AGENDA ITEM CONTRACT**

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**(ID # 1066): Presentation Red Light Cameras**

Palisades Park Police Officer Matt Fink will give an overview on how the program is working for Palisades Park



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**2012 AGENDA ITEM GENERAL**

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**(ID # 1074): Presentation Hillary Chalkin**



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2012 RESOLUTION BUDGET

**RES-2012-165: Authorizing Chapter 159 for Clean Communities**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of the budget, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Leonia hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget of the year 2012 in the sum of \$11,827.80, which is now available as revenue from the Department of Environmental Protection in the amount of \$11,827.80.

BE IT FURTHER RESOLVED, that a like sum of \$11,827.80 is hereby appropriated under the caption of:

**2012 CLEAN COMMUNITIES GRANT**

BE IT FURTHER RESOLVED, that the above is the result of funds from the Department of Environmental Protection for Clean Communities Grant in the amount of \$11,817.80 .

I, \_\_\_\_\_, Municipal Clerk of the Borough of Leonia in the County of Bergen in the State of New Jersey, do hereby certify that the forgoing in a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Leonia in the Bountly of Bergen in the State of New Jersey.

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 June 11, 2012.

\_\_\_\_\_  
Clerk of the Borough of Leonia



Borough of Leonia  
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2012 RESOLUTION BUDGET

**RES-2012-166: Cancellation of Uncashed Checks**

WHEREAS, there are certain checks that remain outstanding on the bank reconciliations from 2010 and 2011, and

WHEREAS, these checks remain uncashed as of this date, and

WHEREAS, the auditors have recommended that all checks be canceled every six months.

NOW, THEREFORE, BE IT RESOLVED, that the checks listed below be canceled to Miscellaneous Revenue Not Anticipated for a total amount of \$ 1,067.63.

<u>Fund</u>	<u>Year</u>	<u>Description</u>	<u>Ck #</u>	<u>Amount</u>
Rec Trust	2010	Steven Meester	14342	\$ 107.50
Rec Trust	2011	Shaughnessy, Barbara	14510	99.00
Payroll Trust	2011	Dylan D'Angelo	45544	379.50
Payroll Trust	2011	Max D'Angelo	45545	<u>481.63</u>
				<b>\$1,067.63</b>

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 June 11, 2012.

\_\_\_\_\_  
Clerk of the Borough of Leonia

**BOROUGH OF LEONIA  
THE PROVIDENT BANK  
PAYROLL ACCOUNT  
RECONCILIATION FOR PERIOD ENDING 4/30/2012**

STARTING BALANCE:	4/1/2012		\$7,960.11
RECEIPTS:	4/3/2012		\$255,660.23
	4/18/2012		\$235,296.57
	SUB-TOTAL		\$490,956.80
MISCELLANEOUS CREDITS:			
INTEREST PAYMENT	4/30/2012		\$5.69
VOIDED CHECKS			
	SUB-TOTAL		\$5.69
DISBURSEMENTS - PAYROLL:			
CHECK REGISTER	4/5/2012		(\$27,611.34)
	4/19/2012		(\$28,066.92)
DEBIT MEMO ACH	4/5/2012		(\$132,938.77)
	4/19/2012		(\$117,825.61)
DEBIT MEMO AGENCY	4/3/2012		(\$95,110.12)
	4/18/2012		(\$89,404.04)
MISCELLANEOUS	4/2/2012		(\$6.62)
	SUB-TOTAL		(\$490,963.42)
MANUAL CHECKS:	4/20/2012	1836	(\$443.45)
	SUB-TOTAL		(\$443.45)
BOOK BALANCE:	4/30/2012		\$7,515.73
BANK BALANCE:	4/30/2012		\$11,629.21
BANK ERROR			
			\$0.00
OUTSTANDING CHECKS:	2011	8/11/2011 45544	(\$379.50)
		8/11/2011 45545	(\$481.63)
	2012	2/9/2012 46274	(\$459.99)
		2/23/2012 46325	(\$40.18)
		3/8/2012 46350	(\$187.89)
		3/22/2012 46379	(\$401.89)
		3/22/2012 46392	(\$234.61)
		3/22/2012 46408	(\$53.55)
		4/5/2012 46451	(\$67.23)
		4/5/2012 46452	(\$53.56)
		4/5/2012 46455	(\$237.44)
		4/19/2012 46458	(\$348.43)
		4/19/2012 46471	(\$33.78)

May 23, 2012  
01:19 PM

BOROUGH OF LEONIA  
Check Register By Check Id

Page No: 1

Range of Checking Accts: REC ACTIVITIES to REC ACTIVITIES Range of Check Ids: 14342 to 14342  
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Contract	Void/Ref Num
14342	05/16/11	07039 STEVEN MEESTER					5608
10-01331	1	REFUND HAPPY PIANO	107.50	T-20-56-893-999 REFUNDS	Budget		1
<b>Report Totals</b>							
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>		<u>Amount Void</u>
Checks:			1	0	107.50		0.00
Direct Deposit:			0	0	0.00		0.00
Total:			1	0	107.50		0.00



May 23, 2012  
01:20 PM

BOROUGH OF LEONTIA  
Check Register By Check Id

Page No: 1

Range of Checking Accts: REC ACTIVITIES to REC ACTIVITIES Range of Check Ids: 14510 to 14510  
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num Ref Seq
14510	10/17/11	03521 SHAUGHNESSY BARBARA	99.00	T-20-56-893-999	Budget		5819
	11-01415	1 REFND TENNIS		REFUNDS			6

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	99.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	99.00	0.00



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**2012 RESOLUTION BUDGET**

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**RES-2012-167: Authorizing Estimated Tax Bills**

WHEREAS, the Borough of Leonia adopted its budget on April 2, 2012, but the Bergen County Board of Taxation has been unable to certify Leonia's tax rate as of the current date, and the Borough's Tax Collector will be unable to mail the Borough's 2012 tax bills by June 14<sup>th</sup>, and

WHEREAS, the Borough of Leonia Tax Collector has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and he has signed a certification showing the tax levies for the previous year, the tax rate, and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia, in the County of Bergen, State of New Jersey on this 11<sup>th</sup> day of June 2012 as follows:

1. The Leonia Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Leonia for the Third Installment of 2012. The Tax Collector shall take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for the third quarter of 2012 is hereby set at \$33,667,619.52.
3. In accordance with the law the Third Installment of 2012 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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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 June 11, 2012.

Clerk of the Borough of Leonia

2012 Estimated Taxes

<b>2012 Estimated Tax Rate Certification for the Borough of Leonia</b>				
		<b>2011 Tax Levy &amp; Tax Rate</b>		<b>2011 Estimated Range for Levy</b>
	<b>Tax Levy</b>	<b>Tax Rate</b>		<b>95%</b>
Local	10,009,695.97	0.00742	Local	9,509,211.17
School	18,603,776.00	0.01381	School	17,673,587.20
Cty-Open Space	2,971,789.45	0.00221	Cty-Open Space	2,823,199.98
Library	479,138.13	0.00036	Library	455,181.22
<b>Totals:</b>	<b>32,064,399.54</b>	<b>2.380%</b>		<b>30,461,179.57</b>
		<b>2012 Estimated Tax Rate</b>		
		<b>2012 Total Ratables:</b>		<b>1,342,604,757</b>
		<b>Tax Rate:</b>		
<b>Amount to be Raised by Taxation:</b>				
Local	10,510,180.77	Municipal	0.007828	(Proposed at 105%)
Library	503,095.04	Library	0.000375	(Proposed at 105%)
School	19,533,964.80	School	0.014549	(Proposed at 105%)
Cty-Open Space	3,120,378.92	Cty-Open Space	0.002324	(Proposed at 105%)
<b>Totals:</b>	<b>33,667,619.52</b>		<b>2.5076 per \$100 of Assessed Valuation</b>	
<b>Prepared &amp; Certified By:</b>		<b>Municipal Finance Officer</b>		<b>Date</b>
		<b>Municipal Tax Collector</b>		<b>Date</b>



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**2012 RESOLUTION GENERAL**

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**RES-2012-168: Liquor License Renewals**

**WHEREAS**, the application have been submitted for renewal of the following Plenary Retail Distribution Licenses and one club License::

0229-44-003-006 Carolyn and TS Liquor, Inc. 307 Broad Avenue  
0229-44-006-004 Andres Liquors, Inc. 324 Broad Avenue  
0229-31-007-001 Sgt. Clendenon Newell American Legion Post #1 399 Broad Avenue

**WHEREAS**, each of the named applicants in making application for renewal has met the legal requirements pertaining to the applicants for liquor licenses and has paid the \$600 fee required by local Ordinance for the Plenary Retail Distribution Licenses and the \$100.00 for the Club License and the \$200 fee required by the State of New Jersey

**THEREFORE BE IT RESOLVED**, that the Mayor and Council, of the Borough of Leonia, County of Bergen, State of New Jersey, does hereby authorize the issuance of Plenary Retail Distribution Licenses and Club License for each of the applicants for a period of one year commencing July 1, 2012

**BE IT FURTHER RESOLVED**, the Governing Body of the Borough of Leonia has no objection to the Director of Alcoholic Beverage Control renewing the license 0229-44-004-002 Broad Beverages, Inc. 430 Broad Avenue Pursuant to N.J.A.C. 13:2-4.6

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and is hereby authorized to sign and deliver said licenses of the Borough of Leonia.

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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 June 11, 2012.

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Clerk of the Borough of Leonia



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2012 ORDINANCE GENERAL

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## **ORD-2012-13. Merger of Planning Board and Zoning Board**

**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. 40:55D45 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:

**ARTICLE I  
PLANNING BOARD**

Article I, entitled Planning Board, §37-1 through §37-8 is hereby deleted in its entirety.

**ARTICLE II  
BOARD OF ADJUSTMENT**

Article II, entitled Board of Adjustment, §37-9 through §37-18 is hereby deleted in its entirety.

**ARTICLE III  
PROVISIONS APPLICABLE TO PLANNING BOARD  
AND BOARD OF ADJUSTMENT**

Section 1. §37-19 titled "Provisions Applicable to Planning Board and Board of Adjustment" shall be renumbered as Article I, §37-1 through §37-9.

Section 2. All references to the Zoning Board of Adjustment in Article III shall be deleted.

**ARTICLE IV**



**APPEALS**

Section 1. §37-28 titled "Appeals" shall be renumbered as Article II, §37-10 through §37-11 and amended to read as follows:

An appeal to the Planning Board may be taken by any interested party affected by any decision of the Construction Official of the municipality based on or made in the enforcement of the Zoning Ordinance or official Map. Such appeal shall be taken within sixty-five (65) days in accordance with the provisions of Article 9 of the Municipal Land Use Law of 1975.

**ARTICLE V**

**FEES**

Section 1. §37-30 titled "Fees" shall be renumbered as Article III, §37-12 through §37-12.

**ARTICLE VI**

**FEES**

Section 1. §37-32 titled "General Provisions shall be renumbered as Article IV, §37-14 through §37-17.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**



If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

