

**MAYOR AND COUNCIL  
WORK SESSION/REGULAR MEETING  
BOROUGH HALL ANNEX  
September 7, 2011  
7:30PM  
AMENDED**

1. **FLAG SALUTE**
2. **ROLL CALL** Mayor Heveran ( ), Councilpersons, Raucci ( ), Choi ( ), De Simone ( ), Hawkins ( ), Knott ( ), Whitter ( ), Borough Attorney Giblin ( )  
Borough Administrator Terhune ( ), Borough Clerk Lehmann ( ), Lynn Hemmer, Deputy Borough Clerk
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 (20 – minute duration)
7. **APPROVAL OF MINUTES**  
  
Council Minutes            August 1, 2011  
Closed Session            August 1, 2011
8. **RESOLUTIONS**  
**11-167** Authorizing a Chapter 159 for the Inclusion of 2011 Smart Growth Planning Grant in the 2011 Municipal Budget  
**11-168** Authorizing a Chapter 159 for the Inclusion of Recycling Tonnage Grant Funds in the 2011 Municipal Budget  
**11-169** Authorizing the Refund of Developers Escrow to the following; New Jersey Logos Church, Leonia Laundry and Solgar Inc.  
**11-170** Urging a Day of Service in Remembrance of 9/11  
**11-171** Authorizing Final Payment for Glenwood Avenue and Linden Terrace  
**11-172** Authorizing Change Order No.1 for a Net Decrease in the amount of \$44,403.51

- 11-173 Authorizing Tax Appeal Settlement for Block1007, Lot 18 in the amount of \$3,391.62
- 11-174 Authorizing Tax Appeal Settlement for Block 202, Lot 5, in the amount of \$3,372.00
- 11-175 Authorizing the Auction of Ambulances
- 11-176 Endorsing the Sports Boosters Carnival in Overpeck Park
- 11-177 Approving AYSO Parade September 10, 2011
- 11-178 Authorizing Off-Premise Raffle 15-11 and Off-Premise 50/50 October 1, 2011
- 11-179 Authorizing Block Party for Lower Palmer Place
- 11-180 Authorizing the Rejection of bids for the Forestry Truck and Authorizing the Readvertisement
- 11-181 Authorizing the Acceptance of bids for the NJDOT Improvement to Glenwood Avenue Phase II and the Beechwood Place Parking Lot
- 11-182 Authorizing the Acceptance of the Construction Service Agreement for the Glenwood Avenue and Beechwood Place Parking Lot Proposal
- 11-183 Authorizing the Acceptance of the Proposal from Birdsall Service in Conjunction with the Improvements to the Basketball Court and Lighting Project in Wood Park
- 11-184 Authorizing Medical Leave of Absence for Crossing Guard Carl Baker

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

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

**9. INTRODUCTION OF ORDINANCES**

Introduction of Ordinance 12-11 entitled:

**AN ORDINANCE TO AMEND THE ARTICLE V OF THE CODE OF THE BOROUGH OF LEONIA TITLED “UNIFORM FIRE CODE”**

**Borough Clerk read by Title**

A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to Adopt on first reading Ordinance 12-11.

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

Introduction of Ordinance 13-11 entitled:

**AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE BOROUGH OF LEONIA TITLED “PERSONNEL POLICIES” AND SPECIFICALLY ORDINANCE 46 – 32 TITLED “WORKERS COMPENSATION”**

**Borough Clerk read by Title**

A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to Adopt on first reading Ordinance 13-11.

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

**Introduction of Ordinance 15-11 entitled:  
AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODE OF THE BOROUGH OF LEONIA TITLED "PARKS" BY ADDING A NEW SECTION, TO BE DESIGNATED AS ORDINANCE 197-13, TITLED "FEES AND POLICIES FOR THE USE OF LEONIA PARKS."**

**Borough Clerk read by Title**

A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to Adopt on first reading Ordinance 15-11.

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

**10. ADOPTION OF ORDINANCES**

**Adoption of Ordinance 10-11 entitled:  
AN ORDINANCE TO AMEND CHAPTER 66 OF THE CODE OF THE BOROUGH OF LEONIA TITLED "VOLUNTEER SERVICES"  
(Borough Clerk read by title)**

**Public Hearing**

A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to Adopt on final reading Ordinance 10-11

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

Adoption of Ordinance 11-11 entitled:  
**AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE BOROUGH OF LEONIA TITLED "PARKING, OFF STREET"  
(Borough Clerk read by title)**

**Public Hearing**

A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to Adopt on final reading Ordinance 11-11

**ROLL CALL** Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

11. **UNFINISHED BUSINESS**

- a) Complete Streets (8/1/2011) (Mayor Heveran)
- b) Ambulance Building Renovations (Jack Terhune)
- c) American Legion Liquor License (Borough Clerk)

12. **NEW BUSINESS**

- a) Farmer's Market (Mr. Terhune)
- b) Downtown Business (Councilman Choi)
- c) Tax Appeals (Councilman Choi)
- d) Sculpture in Wood Park (Jack Terhune)
- e) Towing Ordinance (Jack Terhune)
- f) Recycling Ordinance (Councilman Knott/Jack Terhune)
- g)

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**

*Personnel – Police Department, Building Department, Administration  
(Borough Attorney)*

*Litigation – T-mobile (Borough Attorney)*

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11-167         |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

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 2011 in the sum of \$2,500, which is now available as revenue from Association of New Jersey Environmental Commissions in the amount of \$2,500.00.

BE IT FURTHER RESOLVED, that a like sum of \$2,500 is hereby appropriated under the caption of:

### 2011 SMART GROWTH PLANNING GRANT

BE IT FURTHER RESOLVED, that the above is the result of funds from the Association of New Jersey Environmental Commissions in the amount of \$ 2,500.00.

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 Bounty of Bergen in the State of New Jersey.

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11-108         |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

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 2011 in the sum of \$11,825.25, which is now available as revenue from the Solid Waste Administration in the amount of \$11,825.25.

BE IT FURTHER RESOLVED, that a like sum of \$11,825.25 is hereby appropriated under the caption of:

### RECYCLING TONNAGE GRANT

BE IT FURTHER RESOLVED, that the above is the result of funds from the Solid Waste Administration in the amount of \$11,825.25.

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 Bounty of Bergen in the State of New Jersey.

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11-169         |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, the developer escrow vendors attached completed their business with the Borough of Leonia in 2009 and 2010, and

WHEREAS, the refund checks representing the remaining account balances owed to these developers were issued in 2009 and 2010, respectively, and

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

WHEREAS, confirmation of the vendors' addresses have been made.

NOW, THEREFORE, BE IT RESOLVED, that the uncashed checks involving the developers below, be cancelled to Miscellaneous Revenue Not Anticipated in the amount of \$1,525.00

|                         |                   |
|-------------------------|-------------------|
| New Jersey Logos Church | \$1,300.00        |
| Leonia Laundry          | \$ 200.00         |
| Solgar Inc.             | <u>\$ 25.00</u>   |
|                         | <b>\$1,525.00</b> |

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -170      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**WHEREAS**, on September 11, 2001, the peace and security of our was shattered by cowardly terrorist attacks that killed nearly 3,00 innocent and brave people at the World Center towers in New York City, at the United States Pentagon, and in the pristine fields of Shanksville, Pennsylvania. Although the terrorists' goal was to strike a powerful blow to the hearts of all Americans and tear at the fabric of our nation, arising from the very ashes of that tragedy came a remarkable spirit of unity, compassion and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who rose in service during the rescue and recovery effort and in defense of our nation both here at home and abroad; and

**WHEREAS**, in observance of the 10<sup>th</sup> anniversary of the September 11, 2001 attacks on America, which killed citizens from 92 countries, we hereby adopt the following Resolution in tribute to those lost and injured on 9/11, and the many who gave of themselves in service to their communities and to this country in the aftermath of the attacks;

**WHEREAS**, people of all ages and walks of life, across America, and around the world, collectively witnessed an event of immense tragedy on September 11, 2011; and

**WHEREAS**, events of that day instantly transformed nearly everyone's lives, some through personal loss, and many others through an unfamiliar sense of individual and national vulnerability; and

**WHEREAS**, an unprecedented, historic bonding of Americans rose from the collective shock, unifying the country in an outpouring of national spirit, pride, selflessness, generosity, courage and service; and

**WHEREAS**, many brave people heroically, tirelessly and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own well-being at risk; and

**WHEREAS**; September 11 will never be just another day in the hearts and minds of all Americans; and



**WHEREAS**, September 11, 2011 will be the 10<sup>th</sup> Anniversary of the 9/11 attacks on America; and

**WHEREAS**, many citizens may wish to memorialize September 11 by engaging in, or making a plan to engage in personal and individual acts of community service, or other giving activities, as part of a solemn day of remembrance and tribute; and

**WHEREAS**, on March 19, 2009, the United States Congress passed bipartisan legislation authorizing the establishment of September 11 as a federally recognized National Day of Service and Remembrance, which President Barack Obama signed into law April 21, 2009, and;

**WHEREAS**, the President of the United States, on September 11, 2009, issued the Patriot Day Proclamation officially and permanently designating September 11 as a National Day of Service and Remembrance, and calling upon all interested Americans to participate in this observance through moments of silence, the flying the flag of the United States at half-staff, as well community service and charitable activities in tribute and remembrance; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey, in tribute to all the victims of 9/11 and the many who rose in response to the 9/11 terrorist attacks, will observe September 11, 2011, the 10<sup>th</sup> anniversary of 9/11, as a voluntary Day of Service and Remembrance, and furthermore calls upon all its citizens and organizations to consider in joining in this observance and to engage in activities of tribute, solemn remembrance and charitable service.

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Mayor Mary Heveran

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

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**BOROUGH CLERK**

# BOROUGH OF LEONIA RESOLUTION

| Council   | Motion | Second | Yes | No | Abstain | Absent |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -171      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

WHEREAS, AJM Contractors, Inc. has submitted the final bill for road repairs to Glenwood Avenue under a NJDOT Improvement Grant and Linden Terrace under a Bergen County CDBG Grant; and

WHEREAS, the final payment is in the amount of \$10,972.22; and

WHEREAS, the CFO has certified that funds are available

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia the amount of \$10,972.22 representing final payment to AJM, Contractors, Inc. is hereby approved.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Raucci    |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -172      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

WHEREAS the Borough Engineer has submitted Change Order No.1 (final) for NJDOT Improvements to Glenwood Avenue for a net decrease in the amount of \$44,403.51; and

WHEREAS, the Borough Administrator is hereby authorized to sign Change Order No. 1 (final) for a net decrease in the amount of \$44,403.51

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and council of the Borough of Leonia that they hereby accept and approve Change Order No. 1 (final) in the amount of \$44,403.51 and authorize the Borough Administrator to execute same.

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -173      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia that the Collector shall be and is hereby authorized to issue a check in the amount of \$3,391.62 payable to "Michael I. Schneck" as a result of Tax Court Judgment for year 2010, dated July 22, 2011 on property known as Block 1007, Lot 18, 228 Warwick Lane

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized 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 |
|-----------|--------|--------|-----|----|---------|--------|
| Raucci    |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -174      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia that the Collector shall be and is hereby authorized to issue a check in the amount of \$3,372.00 payable to "John R. Lloyd" as a result of Tax Court Judgment for years 2009 and 2010, dated July 29, 2011 on property known as Block 202, Lot 5, 125 Lakeview Avenue

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

3. Chief Financial Officer
4. 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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -175      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**WHEREAS**, the Borough of Leonia has in its possession two (2) surplus Ambulances; and

**WHEREAS**, the Borough wishes to auction this surplus property on Tuesday, October 11, 2011 at 6:00PM prevailing time in the parking lot adjacent to Police Headquarters

**WHEREAS**, the Borough Clerk is hereby authorized and directed to advertise a public sale of surplus Borough owned property at an auction to be held on Tuesday, October 11, 2011 at 6:00PM prevailing time in the parking lot adjacent to Police Headquarters; and

**WHEREAS**, the Borough reserves the right to reject any all bids if it determines such rejection to be in the best interest of the public; and

**WHEREAS**, the Borough Vehicles may be viewed at the Leonia Department of Public Works during the hours of 9:00am and 3:30pm; and

**WHEREAS**, the Borough Administrator is authorized to act as Auctioneer

**WHEREAS**, said sale shall be in the manner of a public auction in accordance with procedures announced and upon close bidding, the highest bidder as designated by the auctioneer, shall submit a ten (10%) percent deposit with the remaining balance due in cash within two (2) business days.

**NOW, THEREFORE, BE IT RESOLVED**, the Governing body of the Borough of Leonia hereby authorizes the Borough Clerk to advertise the auction of surplus police vehicles.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Raucci    |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -176      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**WHEREAS**, the Leonia Sports Boosters is holding a Carnival in the Overpeck Park from Wednesday, September 21, 2011 through Sunday, September 25, 2011; and

**WHEREAS**, the Leonia Sports Boosters is a recognized entity of the Borough and as such is covered under its municipal umbrella insurance policy.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Leonia hereby endorse the use of the Overpeck Park for the Leonia Sports Boosters Carnival.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|               |
|---------------|
| #11 -177      |
| DATE 9/7/2011 |
| Carried       |
| Defeated      |
| Tabled        |
| Approved      |

**WHEREAS**, AYSO has requested to hold a parade for opening day on September 10, 2011 from Leonia Middle School to Ames Avenue to Sylvan Park; and

**WHEREAS**, the Mayor and Council of the Borough of Leonia hereby approves the request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia that the request of AYSO to have their opening day parade from Leonia Middle School down Broad Avenue to Ames Avenue and to Sylvan Park; and

**BE IT FURTHER RESOLVED**, the Mayor and Council wish them a winning season.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     | x      |        | x   |    |         |        |
| Choi      |        | x      | x   |    |         |        |
| De Simone |        |        | x   |    |         |        |
| Hawkins   |        |        | xx  |    |         |        |
| Knott     |        |        | x   |    |         |        |
| Whitter   |        |        | x   |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -178        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that the Off Premise Draw and 50/50 raffles is hereby approved for New Jersey Buddies to be held on October 1, 2011

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -179        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, the residents of lower Palmer Place between Oakdene and Highwood have requested to hold their Annual Block Party on Saturday October 8, 2011 from Moon to Dusk-in the event of rain the Block Party will be held on Sunday, October 9, 2011; and

WHEREAS THE Governing Body of the Borough of Leonia hereby grants permission for the street to be closed on Saturday October 8, 2011

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the request for a Block Party on lower Palmer Place between Oakdene and Highwood is hereby approved.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Raucci    |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -180        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, bids for the purchase of a 60 foot forestry truck were advertised for and opened on August 24, 2011; and

WHEREAS, two bids were received and both bids came in over the budgeted amount

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that both bids are hereby rejected and the Administrator is hereby authorized to readvertise for the forestry truck.

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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -181        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, bids were advertised and opened in conjunction with the NJDOT Improvements to Glenwood Avenue Phase II and the Beechwood Parking Lot on August 30, 2011, and;

WHEREAS, one bid was submitted for said project from AJM Contractors, Inc. 300 Kuller Road, Clifton, NJ 07011, and;

WHEREAS, AJM's bid for Glenwood Avenue Phase II is in the amount of \$140,755.75 and the Beechwood Place Parking Lot in the amount of \$84,337.90 has been certified by the CFO as there being sufficient funds for the above noted projects

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia they do hereby accept the bids for the above noted projects and hereby authorize the Mayor to sign and the Borough Clerk to attest the contract for these projects.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -182        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, Birdsall Services has submitted a proposal in conjunction with NJDOT Improvements to Glenwood Avenue Phase II and Capital Improvements to the Beechwood Place Parking Lot per for Construction Administration Services the attached proposal in the amount of \$27, 900; and

WHEREAS, the CFO will certify that the funds will be available

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia they hereby accept the proposal and hereby authorize the Borough Administrator to execute the proposal on behalf of the Borough.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Raucci    |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|              |
|--------------|
| #11 -183     |
| DATE 09/0711 |
| Carried      |
| Defeated     |
| Tabled       |
| Approved     |

WHEREAS, Birdsall Services has submitted a proposal in conjunction with the improvements to the Basketball Court and Lighting project in Wood Park in the amount of \$15, 200; and

WHEREAS, the CFO will certify that the funds will be available

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia they hereby accept the proposal and hereby authorize the Borough Administrator to execute the proposal on behalf of the Borough.

**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 |
|-----------|--------|--------|-----|----|---------|--------|
| Rauci     |        |        |     |    |         |        |
| Choi      |        |        |     |    |         |        |
| De Simone |        |        |     |    |         |        |
| Hawkins   |        |        |     |    |         |        |
| Knott     |        |        |     |    |         |        |
| Whitter   |        |        |     |    |         |        |
| Heveran   |        |        |     |    |         |        |

|                 |
|-----------------|
| #11 -184        |
| DATE 09/07/2011 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, Crossing Guard, Carl Baker is requesting a medical leave of absence pursuant to 46-19F of the Borough Personnel Polices; and

WHEREAS, the period of leave is limited to twelve (12) weeks and must be supported by a medical certificate and may be extended beyond the twelve (12) weeks if supported by a medical certificate; and

WHEREAS, this is an unpaid leave; and

WHEREAS, substitute crossing guard Shirley Eastling will be filling the post

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Mayor and Council of the Borough of Leonia the request for medical leave 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 10-11**

**AN ORDINANCE TO AMEND** Chapter 66 of the Code of the Borough of Leonia titled "Volunteer Services."

**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 66 of the Code of the Borough of Leonia, titled "Volunteer Services," is hereby repealed in its entirety and replaced by the following:

**Emergency Volunteer Length of Service Award Program (LOSAP)**

**§66-1 - Program created.**

The Length of Service Awards Program (LOSAP), adopted under Ordinance No. 09-00 is herewith maintained in accordance with Chapter 338 of the Laws of 1997 (N.J.S.A. 40A:14-183 et seq.), to reward members of the volunteer fire department for their loyal, diligent, and devoted services to the residents of the Borough of Leonia.

**§66-2 - Administration of plan; contributions.**

The LOSAP shall provide for fixed annual contributions to deferred income account for each volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by the Borough of Leonia pursuant to P.O. 1997, c. 388; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this article.

**§66-3 - Criteria for contributions.**

The LOSAP shall provide for annual contributions to each eligible member that meets the criteria as follows: 100 points are required for a member to be eligible for an annual contribution. The annual contribution shall be as follows: \$1,000.00 per year.

**§66-4 - Cost of program.**

The estimated cost of the program has been calculated as follows:

A. For regular annual services: \$40,000.0 for the first year.



B. For regular annual services: \$40,000.00 for the second year.

C. For regular annual services: \$40,000.00 for the third year.

**§66-5 - Point schedules.**

Each active volunteer member shall be credited with points for volunteer services provided to the Fire Department in accordance with Schedule A:

**SCHEDULE A**

1. Distribution.

A total of 100 points are needed for a qualifying year.

2. Categories.

A. Fire Department Responses.

Points will be credited based upon the following annual percentage of attendance at the Fire Department emergency responses to which the Leonia Volunteer Fire Department has been dispatched. There will be a maximum of 70 points and a minimum of 30 points for this category.

|                |           |
|----------------|-----------|
| 60% attendance | 70 points |
| 55% attendance | 65 points |
| 50% attendance | 60 points |
| 45% attendance | 55 points |
| 40% attendance | 50 points |
| 35% attendance | 45 points |
| 30% attendance | 40 points |
| 25% attendance | 35 points |
| 20% attendance | 30 points |

B. Training.

Points will be credited based on participation in certified fire service training courses and/or fire service seminars where a certificate of completion has been issued:

1. Course or seminar under 20 hours duration, two points per hour with a maximum of 10 points per course or seminar.

2. Courses 20 to 45 hours duration, 10 points plus two points for every hour over 20 hours with a maximum of 20 points per course.

3. Courses over 45 hours duration, 20 points plus 2 points per hour for every hour over 45 hours with a maximum of 30 points.

C. Drills.

Points will be credited based on participation in all Fire Department drills lasting a minimum of two hours. There is a 40 point maximum and a 10 point minimum for this category: 2 points per drill.

D. Meetings.

Points will be credited for attendance at all Fire Company meetings. There is a 30 point maximum and a 10 point minimum for this category: 2 points per meeting.

E. Holder of an Elected Departmental Office.

|                     |           |
|---------------------|-----------|
| Chief of Department | 40 points |
| Deputy Chief of     | 35 points |
| Department Captain  | 30 points |
| Lieutenant          | 25 points |
| Engineer            | 15 points |
| Active Former Chief | 15 points |

F. Holder of an Elected Company Office.

|                     |           |
|---------------------|-----------|
| President           | 35 points |
| Vice President      | 20 points |
| Treasurer           | 20 points |
| Financial Secretary | 20 points |
| Secretary           | 20 points |
| Assistant Secretary | 20 points |
| Sgt. at Arms        | 10 points |

G. Miscellaneous Activities.

Points will be credited based on participation in the following activities that are deemed official fire service activities, 2 points will be credited for each activity with a maximum of 25 points in this category.

Regularly scheduled house duty  
Work details  
Fire prevention activities  
Active committee meetings

3. LOSAP Administration.

The Department Chief and the Company President will each appoint one member to maintain all required records for the administration of LOSAP. These members will receive a credit of 30 points. Records shall be maintained on a monthly basis, and posted at the firehouse in a regular location.

Attendance for emergency responses and drills will be calculated using the Department's NFIRS records.

In order to receive credit for other functions, members must fill out the proper form and have it approved by the Chief or Deputy Chief, or the President or Vice President, whichever is applicable. Each member will be responsible for reviewing the records posted each month to determine if they have been given the proper credit. Any member who feels they have been denied credit may appeal to the Chief within 30 days of the posting of the records. The administrators will review any appeals and any subsequent changes will be made the following month.

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:  
Adopted:

, 2011  
, 2011

**BOROUGH OF LEONIA**  
**ORDINANCE // - //**

**AN ORDINANCE TO AMEND** Chapter 190 of the Code of the Borough of Leonia titled "Parking, off street."

**WHEREAS**, the Mayor and Council of the Borough of Leonia requested permission to create a dedicated trust by rider to receive donations for a parking trust; and

**WHEREAS**, the Borough received permission from the Director of the Division of Local Government Services to create such a trust and accept deposits pursuant to N.J.S.A. 40A:5-29.

**NOW, THEREFORE, 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.** A dedicated trust by rider for Developer Donation Parking Trust is hereby established pursuant to N.J.S.A. 40A:5-29.

**Section 2.** The Mayor and Borough Clerk are hereby authorized to execute any documents necessary to establish or memorialize this action by the governing body.

**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 according to law.

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:  
Adopted:

, 2011  
, 2011

**BOROUGH OF LEONIA  
ORDINANCE 12-11**

**AN ORDINANCE TO AMEND** the Article V of the Code of the Borough of Leonia titled "Uniform Fire Code."

**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.** Ordinance 136-22B titled "Required inspections and fees" shall be deleted in its entirety and replaced by the following:

| <b>USE GROUP</b> | <b>FEEES</b> |
|------------------|--------------|
| A1               | \$100.00     |
| B1               | \$100.00     |
| B2               | \$200.00     |
| B3               | \$400.00     |
| F1               | \$200.00     |
| F2               | \$400.00     |
| F3               | \$600.00     |
| M1               | \$100.00     |
| M2               | \$125.00     |
| M3               | \$150.00     |
| M4               | \$175.00     |
| M5               | \$200.00     |
| M6               | \$225.00     |
| R1               | \$100.00     |
| R2               | \$125.00     |
| R3               | \$200.00     |
| R4               | \$250.00     |
| R5               | \$300.00     |
| R6               | \$350.00     |
| R7               | \$400.00*    |
| S1               | \$200.00     |
| S2               | \$400.00     |
| S3               | \$600.00     |

\* \$10.00 PER EVERY UNIT OVER 50

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

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

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:  
Adopted:

, 2011  
, 2011

**BOROUGH OF LEONIA**  
**ORDINANCE 13-11**

**AN ORDINANCE TO AMEND** Chapter 46 of the Code of the Borough of Leonia titled "Personnel Policies" and specifically Ordinance 46-32 titled "Workers Compensation."

**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.** Ordinance 46-32 of the Code of the Borough of Leonia, titled "Workers Compensation" is hereby amended by repealing sections 46-32D and 46-32E in their entirety.

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:

, 2011

Adopted:

, 2011

granted, shall be deemed a denial, and, if desired, the employee may proceed to the next level of appeal.

**§ 46-32. Workers' compensation.**

- A. Workers' compensation shall be provided as required by state law for all employees.
- B. Any time an accident or injury occurs while on the job, an employee shall report the incident to his/her supervisor immediately, no matter how small the injury. In addition, an accident report is to be completed and given to the department head and/or Borough Administrator immediately after injury.
- C. The department head will transmit the injury form to the Borough Administrator within 24 hours.
- D. Compensation for time lost from the job due to an on-the-job injury or job-related illness will be handled as follows:
  - (1) The employee will receive normal salary from the Borough, subject to the provisions that:
    - (a) Such full salary payments shall not extend beyond a period equivalent to the total of one week for each year of consecutive service of such employee.
    - (b) Any employee who qualified for payments under workers' compensation benefits shall, during the period of receiving such benefits, be entitled only to that portion of the full salary payments which, with the workers' compensation payments, equals his or her normal salary for the allowable period.
    - (c) Such absence shall not be charged against the employee's sick leave. All other provisions regarding absences due to illness or disability apply.
    - (d) The employee will sign his/her compensation check over to the Borough of Leonia.
  - (2) The employee will receive a compensation check from the insurance company.
  - (3) Employees will not be taxed for any workers' compensation payments, and this income will not be reported to the IRS on the employee's W-2 form at the end of each year.
- E. Continuation of benefits while on workers' compensation will be in accordance with the New Jersey Division of Pensions Employee Benefit Manual.

**§ 46-33. Outside employment.**

- A. Employees, including Borough of Leonia officials, must conduct business according to the highest ethical standards of public service. Employees are expected to devote their



BOROUGH OF LEONIA  
ORDINANCE 14-11

AN ORDINANCE TO AMEND Chapter 267 of the Code of the Borough of Leonia titled "Towing" by adding a new section, to be designated as Ordinance 267-11G.

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. Ordinance 267 of the Code of the Borough of Leonia, titled "Towing" is hereby amended by adding a new section, to be designated as Ordinance 267-11G as follows:

§ 267-11G.

In the event that the Leonia Police Department requires a vehicle to be impounded for possible evidentiary value, the licensed tow operator agrees that said tow shall be at no cost to the Borough of Leonia, provided that the vehicle is towed to a location within Bergen County.

Section 2. 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 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

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

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:  
Adopted:

, 2011  
, 2011

**BOROUGH OF LEONIA  
ORDINANCE 15-11**

**AN ORDINANCE TO AMEND** Chapter 197 of the Code of the Borough of Leonia titled "Parks" by adding a new section, to be designated as Ordinance 197-13, titled "Fees and Policies for the Use of Leonia Parks."

**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.** Ordinance 197 of the Code of the Borough of Leonia, titled "Parks" is hereby amended by adding a new section, to be designated as Ordinance 197-13, titled "Fees and Policies for the Use of Leonia Parks" as follows:

**§ 197-13A - Fees and Policies for the Use of Leonia Parks  
(except Sylvan Park)**

The following is the policy of the Leonia Recreation Commission concerning the use of any Park in Leonia, other than Sylvan Park, by all groups or organizations that are not under the direct supervision of the Leonia Recreation Department.

1. Any group or organization wishing to use a park must be granted a permit from the Leonia Recreation Department prior to the event.
2. Any group or organization requesting the use of a Park will be required to pay the following fees **prior to the event or activity:**
  - A. Leonia resident fee                   \$100.00 for a three hour time limit.
  - B. Non resident fee                   \$200.00 for a three hour time limit.

The Leonia Recreation Commission and/or staff reserve the right to adjust aforementioned fees, as they deem appropriate: However, they may not increase fees according to those stated above.

3. This policy allows the waiving or reducing of above fees to any Leonia group recognized as a non-profit organization, if it is the desire of the Leonia Recreation Commission.

**§ 197-13B. - Fees and Policies for the Use of Sylvan Park.**

The following is the policy of the Leonia Recreation Commission concerning the use of Sylvan Park by all groups or organizations that are not under the direct supervision of the Leonia Recreation Department.

1. Any group or organization wishing to use Sylvan Park must be granted a permit from the Leonia Recreation Department prior to the event.
2. Any group requesting the use of Sylvan Park must provide a proper Certificate of Insurance and Hold Harmless Agreement
3. Any group or organization requesting the use of Sylvan Park will be required to pay the following fees **prior to the event or activity:**
  - A. **September 1st through November 30th & March 1st through June 30th**  
**\$1,792.00 per week OR \$256.00 per day, per field.**
  - B. **July 1st through August 31st & December 1st through February 28th (29th)**  
**\$826.00 per week OR \$118.00 per day, per field.**
4. The above rates apply to Leonia residents and their affiliates. Out of town groups or organizations will have additional fees applied, up to double of the above rates.
5. The Leonia Recreation Commission and/or staff reserve the right to adjust aforementioned fees, as they deem appropriate: However, they may not increase fees according to those stated above.
6. This policy allows the waiving (or reducing??) of above fees to any Leonia group recognized as a non-profit organization, if it is the desire of the Leonia Recreation Commission.
7. The use of the park lighting system will be used no earlier than 5:00 PM and must be turned off, on or before 10:00 PM.

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced:  
Adopted:

, 2011  
, 2011