

Amended 12/20/2010

**MAYOR AND COUNCIL  
WORK SESSION/REGULAR MEETING  
BOROUGH HALL ANNEX  
December 20, 2010  
7:30pm**

1. **FLAG SALUTE**

2. **ROLL CALL** Mayor Heveran ( ), Councilpersons Norgaard ( ), Brennan Choi ( ), Hawkins ( ), Knott ( ), Raucci ( ), Borough Attorney Brian Giblin ( ), Jack Terhune, Borough Administrator ( ), Borough Clerk, Fran Lehmann

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**

5. **APPOINTMENTS**

6. **COMMENTS FROM THE PUBLIC**

Limited to two (2) minutes per speaker (20-minute duration)

7. **APPROVAL OF MINUTES**

Council Meeting	December 6, 2010
Closed Session	December 6, 2010

8. **RESOLUTIONS**

- 10-253 Authorizing the Release of the Performance Surety Bond and cash Bonds to Cumberland Farms for the Christie Lane Improvements  
10-254 Authorizing Payment to A.J.M. Construction, Inc.  
10-255 Authorizing Ratifying Resolution to Pay 2009 Claims against Appropriation Reserves and 2010 Budget  
10-256 Authorizing the Treasurer to Pay Claims against the 2009 Budget Reserves and the 2010 Municipal Budget  
10-257 Authorizing on Premise 50/50 for American Legion  
10-258 Urging the Legislation and the Governor to Exempt the Reserve for Uncollected Taxes from the 2% Cap  
10-259 Awarding the Contract for Wood Park Improvement to Let it Grow, Inc.  
10-260 Awarding the RFP for Ambulance Coverage for Night Coverage and Weekend Coverage to Englewood Hospital

10-261 Authorizing the Administrator to Apply for the New Jersey Clean Energy Program Grant

10-262 Authorizing the Acceptance of the retirement of Clair P. Flynn

10-263 Authorizing Twelve Hour Shifts for Leonia Police Department

A motion was made by Councilperson \_\_\_\_\_ seconded by Councilperson \_\_\_\_\_ to approve Resolutions

**ROLL CALL** Councilperson, Norgaard ( ), Brennan ( ), Choi ( ) Hawkins ( ) Knott ( ) Raucci ( )

**9. REPORTS**

**Standing Committees**

Finance Administration & Personnel

Laws & Ordinances

Police

Fire

Ambulance

Public Works

Economic Development

Borough Administrator

Mayor

Special Bodies

**10- INTRODUCTION OF ORDINANCE**

**11 ADOPTION OF ORDINANCE**

**12. UNFINISHED BUSINESS**

- a) Revised Sustainable Building Ordinance (Councilman Hawkins)
- b) Fort Lee Traffic (Brian Giblin)
- c) Water Conservation (Councilman Hawkins)
- d) Shade Tree Ordinance (Mayor Heveran)

**13 NEW BUSINESS**

a)

**14. COMMENTS FROM THE PUBLIC**

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

**15 CORRESPONDENCE**

**16. CLOSED SESSION (L)**

*Personnel (Councilman Raucci, Jack Terhune)*

*Negotiations (Brian Giblin)*

*Legal - (Jack Terhune)*

17. **ADJOURNMENT** (10:00pm unless motion to extend)  
***FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN***

**BOROUGH OF LEONIA  
RESOLUTION**

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
<b>Brennan</b>						
<b>Choi</b>						
<b>Hawkins</b>						
<b>Knott</b>						
<b>Norgaard</b>						
<b>Raucci</b>						
<b>Heveran</b>						

# 10-253

DATE: 12/, 2010

Carried [ ]

Defeated [ ]

Tabled [ ]

Approved on Consent Agenda [ ]

WHEREAS, In connection to the Christie Lane Sewer Project, Cumberland Farms, Inc. did post a Performance Surety Bond-#105038136 in the amount of \$39,179.84, a cash guarantee in the amount of \$4,353.32, cash for inspection fees in the amount of \$1,813.88, and cash escrow in the amount of \$8,000 for a total cash amount of \$ 14,167.20, and

WHEREAS, The Borough Engineer has inspected and advised that all the work in connection to this project has been satisfactorily completed; and

WHEREAS, as a result of the satisfactory completion of said project and confirmation by the Borough's engineer, no further professional financial obligations will made against this account, and

WHEREAS, the cash guarantee in the amount of \$4,353.32 shall remain with the Borough for a minimum of one year, and

WHEREAS, the CFO has certified that the funds are available for release.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that the aforementioned bond-#105038136 may be released, and cash balances in the amount of \$9,890.50 be refunded to Cumberland Farms, Inc. as follows:

Developer Escrow Trust	\$ 1,813.88
P/M Bond Trust	
Cash Escrow	\$ 8,000.00
2/3 Interest Accrued	\$ <u>80.26</u>
	\$ 9,894.14

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

\_\_\_\_\_  
BOROUGH CLERK

New Jersey Administrative Code

Title 5. Department of Community Affairs

Chapter 36 Development and Redevelopment Activities

Subchapter 4 Standardized Forms for Performance Guarantees

The standardized form for a performance surety bond required by an approving authority pursuant to section 41 of P.L. 1975, C.291 (N.J.S.A. 40:55 D-53) shall be as follows:

Block (s) 3707 Lot(s) 1-11

**Performance Surety Bond**

We, Cumberland Farms Inc having offices at 777 Dedham Street, Canton MA 02021, as principal and Travelers Casualty and Surety Company of America, having offices at 350 Granite Street, Braintree MA 02184 a corporation duly licensed to transact a surety business in the State of New Jersey, as surety, are indebted to the borough of Leonia in the county of Bergen, oblige, in the sum of \$39,179.84, for which payment we bind ourselves, and our respective heirs, legal representatives, successors and assigns, jointly and severally.

On July 17, 2006 (date), principal was granted approval by the Township Engineer (approving authority), of the Borough of Leonia for Site Improvements at 1641 Bergen Boulevard, Fort Lee NJ (include referenced specific job and resolution of approval). The estimate dated December 14 2006 by the municipal engineer of the cost of this work and the resolution of approval are attached hereto and made a part of hereof.

Pursuant to municipal ordinance, adopted under authority of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the principal hereby furnished a performance surety bond in the amount of \$39,179.84 (not to exceed 120 percent of the cost of the improvements, as certified by the municipal engineer), written by Travelers Casualty and Surety Company of America, a surety licensed in the State of New Jersey, guarantying full and faithful completion of improvements approved by the approving authority, in lieu of completing the required improvements prior to the granting of final approval. This bond shall remain in full force and effect until such time as all improvements covered by the bond have been approved or accepted by resolution of the municipal governing body upon certification by the municipal engineer, partial release from the bond shall be granted in accordance with N.J.S.A 40:55-53. The amount of the bond remaining shall be sufficient to secure provision of the improvements not yet approved, provided, however that the municipality may require that thirty percent (30%) of the amount of the bond be retained to ensure completion of all improvements.

This bond shall remain in full force and effect until released by resolution of the municipal governing body.

This bond shall remain in full force and effect until released by resolution of the municipal governing body.

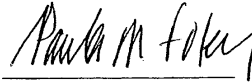
This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until such time as all improvements subject to the bond have been accepted by the municipality, in accordance with the applicable provisions of the Municipal Land Use Law.
2. This bond shall be deemed to be continuous in form and shall remain in full force and effect until the improvements are accepted by the municipality and the bond is released, or until default is declared, or until the bond is replaced by another bond meeting applicable legal requirements, upon approval or acceptance of all improvement by the municipality, or upon replacement of this bond by another bond. Upon approval or acceptance of some, but not all, of the required improvements by the municipality, partial release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53; provided, however, that the portion of the bond amount sufficient to secure completion of the improvements shall continue in effect and the municipality may retain 30 percent of the bond amount posted in order to ensure such completion.
3. The aggregate liability of the surety shall not exceed the sum set for the above.
4. In the event that the improvements subject to this bond are not completed within the time allowed under the conditions of final approval issued pursuant to the Municipal Land Use Law, including such extensions as may be allowed by the approving authority, the municipal governing body may, at its option, and upon at least thirty days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default, and, in the event that the surety fails or refuses to complete the work in accordance with the terms and conditions of original approval, claim payment under this bond for the cost of completion of work. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the municipality by personal delivery or by registered or certified mail or courier at the same time.
5. The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.
6. In the event that the principal and the approving authority agree to changes in the scope of work, the obligation of the surety under this bond shall not be affected so long as the cost of the work does not exceed 120 percent of the municipal engineer's certified estimate, attached

6 cont... hereto and made a part hereof, which 120 percent of the estimate shall be the limit of the surety's obligation under this bond in any case. If the cost of the work exceeds 120 percent of the certified estimate, the principal shall secure a rider from a surety for the additional amount; provided, however, that this provision shall not be construed as requiring a surety to provide additional coverage.

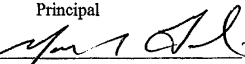
7. This bond shall inure to the benefit of the municipality only and no other party shall acquire any rights hereunder.
8. In the event that this bond shall for any reason cease to be effective prior to the approval or acceptance of all improvements, a cease and desist order may be issued by the governing body, in which case all work shall stop until such time as a replacement guarantee acceptable to the approving authority becomes effective.

Cumberland Farms Inc



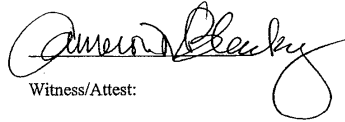
Witness/Attest

Principal


By:  Title

Chief Legal Officer & Corporate Secretary

Travelers Casualty and Surety Co. of America



Witness/Attest:

By:  Attorney-In-Fact



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 218816

Certificate No. 001714124

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Daniel T. Boerneester, Jeffrey M. Johnson, Joseph J. Perschy, Mary N. Ferrante, Thomas J. McElligott, Patricia A. Gerry, Gregory M. Lyon, Christopher J. Ward, Cameron W. Blackey, Katherine K. Zalios-Wood, Helen B. Honan, Mary Pichierri, Carol A. Warren, Michael G. Wenzke, Steven J. Wilcox, Patricia A. Wood, Drew Zalkin, Karen L. Nigrelli, Courtney Combies, Jan Thibault, Kristin Pavao, Eric Pratt, Sarah Larson, and Mee-Thlen Moy

of the City of Quincy, State of Massachusetts, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 27th day of June, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 27th day of June, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public





**Re: Cumberland Farms**  
**From:** "Elliott, Katherine" <kelliott@birdsall.com>  
**To:** fran\_lehmann@yahoo.com

Tuesday, December 14, 2010 10:23 AM

If I didn't reply to you yet, you can release their bond. No more invoices from Birdsall.

Sent short and sweet via Verizon BlackBerry



**BIRDSALL SERVICES GROUP**  
ENGINEERS & CONSULTANTS

---

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

**From:** Fran Lehmann <fran\_lehmann@yahoo.com>  
**To:** Elliott, Katherine  
**Sent:** Tue Dec 07 19:36:31 2010  
**Subject:** Cumberland Farms

Kathy,

Thank you for your response. Is Birdsall going to bill for this project? If so please send the invoices so it may be closed out.

Thank you and have a nice day  
Fran Lehmann

**Kathy Elliott, P.E., P.P.**  
**Senior Associate - Principal Engineer**  
**Birdsall Services Group, Inc.**

611 Industrial Way West  
Eatontown, NJ 07724  
P: 732-380-1700 x1247 | F: 732-380-1701  
[kelliott@birdsall.com](mailto:kelliott@birdsall.com)  
[www.birdsall.com](http://www.birdsall.com)



**RE: Cumberland Farms**

Friday, December 3, 2010 1:42 PM

**From:** "Elliott, Katherine" <kelliott@birdsall.com>  
**To:** "Fran Lehmann" <fran\_lehmann@yahoo.com>  
**Cc:** "Wogisch, Gary" <gwogisch@birdsall.com>

Hi Fran,

Gary inspected the area and found no problems with the road. We recommend releasing the bond they provided for their work in Leonia.

Thanks,  
Kathy

**Kathy Elliott, P.E., P.P.**  
**Senior Associate - Principal Engineer**  
**Birdsall Services Group, Inc.**

611 Industrial Way West  
Eatontown, NJ 07724  
P: 732-380-1700 x1247 | F: 732-380-1701  
[kelliott@birdsall.com](mailto:kelliott@birdsall.com)  
[www.birdsall.com](http://www.birdsall.com)

**From:** Fran Lehmann [mailto:fran\_lehmann@yahoo.com]  
**Sent:** Tuesday, November 09, 2010 11:56 AM  
**To:** Elliott, Katherine  
**Subject:** RE: Cumberland Farms

The Borough of Leonia Mail - Check

Page 2 of 3

**Elliott, Katherine** <kelliott@birdsall.com>  
To: Fran Lehmann <flehmann@leonianj.gov>

Thu, Dec 9, 2010 at 3:50 PM

Hello again,

I also checked with our accounting department. There are no outstanding invoices for Cumberland Farms so it's o.k. with us to return their escrow.

Thanks,

Kathy

**Kathy Elliott, P.E., P.P.**  
**Senior Associate - Principal Engineer**  
**Birdsall Services Group, Inc.**

611 Industrial Way West  
Eatontown, NJ 07724  
P: 732-380-1700 x1247 | F: 732-380-1701  
[kelliott@birdsall.com](mailto:kelliott@birdsall.com)  
[www.birdsall.com](http://www.birdsall.com)

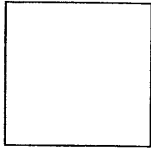
611 Industrial Way West

Eatontown, NJ 07724

P: 732-380-1700 x1247 | F: 732-380-1701

[kelliott@birdsall.com](mailto:kelliott@birdsall.com)

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



---

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

--  
Thank You,  
Fran Lehmann, Borough Clerk  
312 Broad Avenue  
Leonia, NJ 07605  
201-592-5780x256

---

<http://mail.google.com/a/leonianj.gov/?ui=2&ik=df4b1720ce&view=pt&cat=engineer&s...> 12/14/2010

Mayor  
MARY HEVERAN  
Administrator  
JACK TERHUNE, C.P.M.  
Borough Clerk  
FRAN LEHMANN, R.M.C.



GIL HAWKINS, Council President  
PHIL CHOI, Councilman  
KARL NORGAARD, Councilman  
ANTHONY PUZZO, Councilman  
JOYCE RASPA-GORE, Councilwoman  
FRANK RAUCCI, Councilman

312 BROAD AVENUE, LEONIA, NEW JERSEY 07605-0098  
(201) 592-5780  
FAX (201) 592-5746  
www.leonianj.gov

February 7, 2008

TO: Myrna Becker, CFO  
FROM: Fran Lehmann, Borough Clerk *FL*  
RE: Attached Checks  
CC: Jack Terhune, Borough Administrator

---

Attached please find the following checks in connection with the Cumberland Farms, Inc. Improvements to Christie Lane:

- a) \$4,353.32 *cash guarantee*
- b) \$1,813.88 *inspection fee - escrow*
- c) \$8,000.00 *Developer Escrow*

Please do not deposit above noted checks until the Developers Agreement is executed.

12192007 800000 . . . . . . . . . . . . . . . .		12/19/07	3000.00	0.00	8,000.00
			8000.00	0.00	8,000.00

Bud T-<sup>27</sup>13-56-800-012  
 G.L. 8-<sup>27</sup>13-800-56-000-042  
 Rev. 8-<sup>27</sup>13-56-800 042

PLEASE DETACH BEFORE DEPOSITING

**Cumberland Farms**  
 777 DEDHAM STREET  
 CANTON, MASSACHUSETTS 02021-9118



62-153/112 ME

114964

DATE	CHECK NO.	AMOUNT
12/19/2007	114964	\$*****8,000.00

NOT VALID AFTER 180 DAYS

PAY EXACTLY Eight Thousand Dollars And 00 Cents\*\*\*\*\*

ORDER OF

BOROUGH OF LEONIA  
 312 BROAD AVE  
 LEONIA, NJ 07405  
 United States

*Lily H. Santos*

AUTHORIZED SIGNATURE

AMOUNTS OVER \$50,000.00 REQUIRE TWO (2) SIGNATURES

⑈ 114964 ⑆ ⑆ 011201539⑆ 002220011277⑈

12172007 435332	12/17/07	4353.32	0.00	4,353.32
PLEASE DETACH BEFORE DEPOSITING		4353.32	0.00	4,353.32

27  
 Bod T-13-56-800-012  
 G.H. 8-13-800-56-000-012  
 Rev 8-13-56-800-012

**Cumberland Farms**  
 777 DEDHAM STREET  
 CANTON, MASSACHUSETTS 02021-9118

Bank of America

62-183/112 ME

114962

DATE	CHECK NO.	AMOUNT
12/19/2007	114962	*****4,353.32

NOT VALID AFTER 180 DAYS

PAY EXACTLY Four Thousand Three Hundred Fifty-Three Dollars And 32 Cents\*\*\*\*\*

FOR DEPOSIT ONLY

BOROUGH OF LEONIA  
 312 BROAD AVE  
 LEONIA, NJ 07605  
 United States

*Lily H. Deane*  
 AUTHORIZED SIGNATURE

AMOUNTS OVER \$50,000.00 REQUIRE TWO (2) SIGNATURES

⑈ 114962 ⑈ ⑆ 011201539 ⑆ 00220011277 ⑈

12192007 181388	12/19/07	1813.88	0.00	1,813.88
PLEASE DETACH BEFORE DEPOSITING		1813.88	0.00	1,813.88

Bod <sup>27</sup> T-13-56-704-801  
 G.I. <sup>27</sup> 8-13-208-56-300-000  
 Rev <sup>27</sup> 8-13-56-306-801

**Cumberland Farms**  
 777 DEDHAM STREET  
 CANTON, MASSACHUSETTS 02021-9118



62-153712, ME

114963

DATE	CHECK NO.	AMOUNT
12/19/2007	114963	*****1,813.88

PAY EXACTLY One Thousand Eight Hundred Thirteen Dollars And 88 Cents \*\*\*\*\*

NOT VALID AFTER 180 DAYS

TO THE  
 ATTORNEY  
 GENERAL

BOROUGH OF LEONIA  
 312 BROAD AVE  
 LEONIA, NJ 07605  
 United States

AUTHORIZED SIGNATURE

AMOUNTS OVER \$50,000.00 REQUIRE TWO (2) SIGNATURES

⑈ 114963⑈ ⑆ 011201539⑆ 002220011277⑈





# BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-254
DATE
Carried
Defeated
Tabled
Approved

**WHEREAS**, A.J.M. Construction, Inc. has completed a portion of the work on the NJDOT Improvements to Glenwood Avenue and the Bergen County CDBG Improvements to Linden Terrace; and

**WHEREAS**, A.J.M. Construction, Inc. has submitted a request for payment in the amount of \$175,108.12, Engineers Estimate #1; and

**WHEREAS**, the CFO has certified that funds are available

**NOW, THEREFORE, BE IT RESOLVED**, the Governing Body hereby accepts Engineers Estimate #1 and authorizes payment to A.J.M Construction, Inc. in the amount of \$175,108.12

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

\_\_\_\_\_  
**BOROUGH CLERK**

**CERTIFICATION OF FUNDS**

As required by N.J.S.A. 40A:4-57, I, Myrna Becker, Chief Financial Officer of the Borough of Leonia, have ascertained that there are sufficient uncommitted funds in the 2010 Capital Budget for payment of Estimate #1 to be paid to A.J.M. Construction, Inc. in the amount of \$175,108.12 in connection to improvements to NJDOT-Glenwood Ave. and CDBG- Linden Terrace. Therefore, funds will be made available in the 2010 capital budget as follows:

Glenwood Avenue	C-04-55-101-952	\$ 83,460.18
Linden Terrace	C-04-55-101-951	\$ <u>91,647.93</u>
	Total	\$ 175,108.11

  
\_\_\_\_\_  
MYRNA BECKER/CMFO

  
\_\_\_\_\_  
DATE



**BIRDSALL SERVICES GROUP**  
ENGINEERS & CONSULTANTS

Borough of Leonia  
312 Broad Avenue  
Leonias, NJ 07605

December 3, 2010  
Job No. 2-00022-400018

Attn: Jack Terhune, Borough Administrator

**Re: Contract: NJDOT Improvements to Glenwood Avenue  
Bergen County CDBG Improvements to Linden Terrace  
Contractor: A.J.M. Contractors, Inc.**

Dear Mr. Terhune:

Enclosed please find the following regarding the above captioned project:

1. One (1) Engineer's Estimate No. 1, for the amount of \$175,108.12.

Kindly process for payment at your earliest convenience.

In accordance with P.L. 1975, C. 127 (NJAC 17:27), the Contractor must submit Monthly Project Manning Reports - Construction (Form AA202) for this project to the Affirmative Action Office and Public Agency Compliance Officer no later than the seventh workday of each month for the duration of the project.

In addition, NJAC 12:60-2.1 and 6.1 of the New Jersey Prevailing Wage Act, NJSa 34:11-55.25 et seq. requires that the Contractor submit certified payroll records to the Public Body within ten (10) days of the payment of wages. Payments to the Contractor should be withheld if these monthly reports and payroll records are not current.

Very truly yours,

**BIRDSALL ENGINEERING, INC.**

Katherine L. Elliott, PE, PP, CME  
Borough Engineer

KLE:dm

Enclosures

cc: A.J.M. Contractors, Inc.  
Fran Lehmann, RMC, Borough Clerk  
Myrna Becker, Borough Chief Financial Officer  
Gary Wogisch, Construction Manager

M:\Cranford\Jobs\Leonias\200022400018\Correspondence\Letters\INS-Borough Pay Est No 1 -2010-12-3.doc

[WWW.BIRDSALL.COM](http://WWW.BIRDSALL.COM)

611 Industrial Way West, Eatontown, NJ 07724 | 888.335.BSGI (2744) | 732.380.1701 fax

**BOROUGH OF LEONIA ESTIMATE NO. 1 DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
 300 Kuller Road  
 Clifton, NJ 07011

BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
**NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace**

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
	<b>CDBG Improvements to Linden Terrace</b>							
1	MOBILIZATION	1	LS	\$300.00	1.000	\$300.00	1.000	\$300.00
2	BREAKAWAY BARRICADES	4	U	\$1.00	4.000	\$4.00	4.000	\$4.00
3	CONSTRUCTION SIGNS	50	SF	\$2.00	50.000	\$100.00	50.000	\$100.00
4	DRUMS	6	U	\$2.00	6.000	\$12.00	6.000	\$12.00
5	TRAFFIC DIRECTORS, FLAGGERS	25	HR	\$50.00	0.000	\$0.00	0.000	\$0.00
6	UNIFORMED TRAFFIC DIRECTORS	1	LS	\$8,000.00	0.090	\$720.00	0.090	\$720.00
7	TRAFFIC CONES	25	U	\$2.00	25.000	\$50.00	25.000	\$50.00
8	CLEARING SITE	1	LS	\$1,500.00	0.000	\$0.00	0.000	\$0.00
9	HOT MIX ASPHALT PAVEMENT REPAIR (IF AND WHERE DIRECTED)	150	SY	\$15.00	0.000	\$0.00	0.000	\$0.00
10	HMA MILLING, 3" OR LESS	3035	SY	\$1.70	0.000	\$0.00	0.000	\$0.00
11	HOT MIX ASPHALT, SURFACE COURSE, MIX 1-5, 2" THICK	437	T	\$57.00	0.000	\$0.00	0.000	\$0.00
12	INLET, TYPE B	1	U	\$2,500.00	1.000	\$2,500.00	1.000	\$2,500.00
13	SET INLET, TYPE B	4	U	\$160.00	4.000	\$640.00	4.000	\$640.00
14	INLET CASTING, TYPE B	4	U	\$800.00	4.000	\$3,200.00	4.000	\$3,200.00
15	CURB PIECE	4	U	\$270.00	2.000	\$540.00	2.000	\$540.00
16	BICYCLE SAFE GRATE	4	U	\$300.00	2.000	\$600.00	2.000	\$600.00
17	CONCRETE SIDEWALK, 4" THICK	466	SY	\$50.00	536.000	\$26,800.00	536.000	\$26,800.00
18	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	117	SY	\$60.00	172.000	\$10,320.00	172.000	\$10,320.00



**BOROUGH OF LEONIA**

**ESTIMATE NO. 1**

**DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
300 Kuller Road  
Clifton, NJ 07011

BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
7	ALLOWANCE FOR UNIFORMED TRAFFIC DIRECTORS	1	LS	\$8,000.00	0.00	\$0.00	0.000	\$0.00
8	ALLOWANCE FOR ASPHALT PRICE ADJUSTMENT	1	LS	\$742.50	0.00	\$0.00	0.000	\$0.00
9	CLEARING SITE	1	LS	\$6,000.00	0.00	\$0.00	0.000	\$0.00
10	HMA MILLING, 3" OR LESS	7155	SY	\$1.70	0.00	\$0.00	0.000	\$0.00
11	HOT MIX ASPHALT PAVEMENT REPAIR (IF AND WHERE DIRECTED)	100	SY	\$15.00	0.00	\$0.00	0.000	\$0.00
12	HMA 9.5M64 SURFACE COURSE, 2" THICK	990	T	\$57.00	0.00	\$0.00	0.000	\$0.00
13	12" CLASS V RCP PIPE	38	LF	\$50.00	35.00	\$1,750.00	35.000	\$1,750.00
14	INLET, TYPE B	2	U	\$2,500.00	2.00	\$5,000.00	2.000	\$5,000.00
15	RECONSTRUCT INLET, TYPE B, USING EXISTING CASTING	1	U	\$290.00	1.00	\$290.00	1.000	\$290.00
16	SET INLET, TYPE B	5	U	\$155.00	0.00	\$0.00	0.000	\$0.00
17	ECO CURB PLATE	1	U	\$270.00	0.00	\$0.00	0.000	\$0.00
18	CONCRETE SIDEWALK, 4" THICK CONCRETE DRIVEWAY, REINFORCED, 6" THICK	435	SY	\$50.00	437.80	\$21,890.00	437.800	\$21,890.00
19	DETECTABLE WARNING SURFACE	120	SY	\$60.00	131.10	\$7,866.00	131.100	\$7,866.00
20	8"x18" CONCRETE VERTICAL CURB	18	SY	\$170.00	18.00	\$3,060.00	18.000	\$3,060.00
21	TRAFFIC STRIPES, LONG-LIFE, EPOXY RESIN, YELLOW, 4" WIDE	650	LF	\$23.00	926.25	\$21,303.75	926.250	\$21,303.75
22	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 6" WIDE	1200	LF	\$0.55	0.00	\$0.00	0.000	\$0.00
23	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 6" WIDE	100	LF	\$2.00	0.00	\$0.00	0.000	\$0.00

**BOROUGH OF LEONIA ESTIMATE NO. 1 DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
 300 Kuller Road  
 Clifton, NJ 07011  
 BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
 NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
24	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 12" WIDE	518	LF	\$2.55	0.00	\$0.00	0.000	\$0.00
25	TRAFFIC STRIPES, THERMOPLASTIC, YELLOW, 12" WIDE	50	LF	\$3.00	0.00	\$0.00	0.000	\$0.00
26	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 24" WIDE	132	LF	\$4.00	0.00	\$0.00	0.000	\$0.00
27	TRAFFIC MARKINGS, WHITE THERMOPLASTIC	290	SF	\$5.00	0.00	\$0.00	0.000	\$0.00
28	R1-1, 36" X 36" STOP SIGN	18	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
29	R1-3P, 6" X 12" ALL WAY SIGN	4	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
30	R2-1, 24" X 36" 25 MPH SIGN	12	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
31	W3-1, 30" X 30" STOP AHEAD SIGN	18.75	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
32	RESET WATER VALVE BOXES	15	U	\$25.00	0.00	\$0.00	0.000	\$0.00
33	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	8	U	\$400.00	0.00	\$0.00	0.000	\$0.00
34	TREE STUMP REMOVAL	1	U	\$200.00	0.00	\$0.00	0.000	\$0.00
35	TOPSOILING, 4" THICK	210	SY	\$5.00	0.00	\$0.00	0.000	\$0.00
36	FERTILIZING & SEEDING	210	SY	\$1.00	0.00	\$0.00	0.000	\$0.00
<b>Alternate A1-CDBG Improvements to Glenwood Avenue</b>								
A1-1	CONSTRUCTION SIGNS	20	SF	\$1.00	20.00	\$20.00	20.000	\$20.00
A1-2	TRAFFIC DIRECTORS, FLAGGERS	8	M	\$49.20	0.00	\$0.00	0.000	\$0.00
A1-3	ALLOWANCE FOR UNIFORMED TRAFFIC DIRECTORS	1	LS	\$8,000.00	0.00	\$0.00	0.000	\$0.00
A1-4	CLEARING SITE	1	LS	\$1,500.00	0.00	\$0.00	0.000	\$0.00



**BOROUGH OF LEONIA**

**ESTIMATE NO. 1**

**DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
300 Kuller Road  
Clifton, NJ 07011

BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
A1-5	HMA MILLING, 3" OR LESS	4270	SY	\$1.70	0.00	\$0.00	0.000	\$0.00
A1-6	HMA 9.5M64 SURFACE COURSE, 2" THICK	590	T	\$57.00	0.00	\$0.00	0.000	\$0.00
A1-7	INLET, TYPE B	4	U	\$2,500.00	3.00	\$7,500.00	3.000	\$7,500.00
A1-8	CONCRETE SIDEWALK, 4" THICK	91	SY	\$50.00	119.00	\$5,950.00	119.000	\$5,950.00
A1-9	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	65	SY	\$60.00	87.00	\$5,220.00	87.000	\$5,220.00
A1-10	8" X 18" CONCRETE VERTICAL CURB	230	LF	\$22.00	185.00	\$4,070.00	185.000	\$4,070.00
A1-11	TRAFFIC STRIPES, LONG LIFE, EPOXY RESIN, YELLOW, 4" WIDE	906	LF	\$0.50	0.00	\$0.00	0.000	\$0.00
A1-12	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 6" WIDE	100	LF	\$1.00	0.00	\$0.00	0.000	\$0.00
A1-13	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 12" WIDE	312	LF	\$3.00	0.00	\$0.00	0.000	\$0.00
A1-14	TRAFFIC STRIPES, THERMOPLASTIC, YELLOW, 12" WIDE	36	LF	\$3.00	0.00	\$0.00	0.000	\$0.00
A1-15	TRAFFIC STRIPES, THERMOPLASTIC, WHITE, 24" WIDE	57	LF	\$4.00	0.00	\$0.00	0.000	\$0.00
A1-16	TRAFFIC MARKINGS, WHITE THERMOPLASTIC	132	SF	\$5.00	0.00	\$0.00	0.000	\$0.00
A1-17	R1-1, 36" X 36" STOP SIGN	9	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
A1-18	R1-3P, 6" X 12" ALL WAY SIGN	2	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
A1-19	R2-1, 24" X 36", 25 MPH SIGN	12	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
A1-20	W3-1, 30" X 30" STOP AHEAD SIGN	6	SF	\$40.00	0.00	\$0.00	0.000	\$0.00
A1-21	RESET WATER VALVE BOXES	5	U	\$25.00	0.00	\$0.00	0.000	\$0.00

**BOROUGH OF LEONIA**

**ESTIMATE NO. 1**

**DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
300 Kuller Road  
Clifton, NJ 07011

BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
A1-22	SET MANHOLE, SANITARY SEWER, USING NEW CASTINGS	6	U	\$350.00	0.00	\$0.00	0.000	\$0.00
A1-23	TOPSOILING, 4" THICK	80	SY	\$5.00	0.00	\$0.00	0.000	\$0.00
A1-24	FERTILIZING & SEEDING	80	SY	\$1.00	0.00	\$0.00	0.000	\$0.00
	<b>Alternate A2-Glenwood Avenue</b>							
A2-1	HMA MILLING, 3" OR LESS	1515	SY	\$1.50	0.00	\$0.00	0.000	\$0.00
A2-2	HOT MIX ASPHALT PAVEMENT REPAIR (IF & WHERE DIRECTED)	15	SY	\$20.00	0.00	\$0.00	0.000	\$0.00
A2-3	HMA 9.5M64 SURFACE COURSE, 2" THICK	210	T	\$57.00	0.00	\$0.00	0.000	\$0.00
A2-4	SET INLET, TYPE B	2	U	\$160.00	0.00	\$0.00	0.000	\$0.00
A2-5	CONCRETE SIDEWALK, 4" THICK	100	SY	\$50.00	77.00	\$3,850.00	77.000	\$3,850.00
A2-6	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	18	SY	\$60.00	26.00	\$1,560.00	26.000	\$1,560.00
A2-7	DETECTABLE WARNING SURFACE	1	SY	\$180.00	1.00	\$180.00	1.000	\$180.00
A2-8	8" X 18' CONCRETE VERTICAL CURB	141	LF	\$25.00	120.00	\$3,000.00	120.000	\$3,000.00
A2-9	RESET WATER VALVE BOXES	1	U	\$30.00	0.00	\$0.00	0.000	\$0.00
A2-10	SET MANHOLE, SANITARY SEWER, USING NEW CASTINGS	3	U	\$400.00	0.00	\$0.00	0.000	\$0.00
A2-11	TOPSOILING, 4" THICK	50	SY	\$5.00	0.00	\$0.00	0.000	\$0.00
A2-12	FERTILIZING & SEEDING	50	U	\$1.00	0.00	\$0.00	0.000	\$0.00

**BOROUGH OF LEONIA**

**ESTIMATE NO. 1**

**DATE: 11-24-10**

Contractor: AJM Contractors, Inc.  
300 Kuller Road  
Clifton, NJ 07011

BSG Job Number: 2-00022-400018

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR: Period 9/16/10 Through 11/16/10  
**NJDOT CDBG Improvements to Glenwood Avenue and CDBG Improvements to Linden Terrace**

Item	Description	Contract Quantity	Unit	Unit or Lump Sum Price	Current Period		Total To Date	
					Quantity	Amount	Quantity	Amount
					Total		Total	
					This Estimate	\$178,681.75	To Date	\$178,681.75
					Less 2.0% Retained			\$3,573.64
					Net Amount			\$175,108.12
					Less Previous Estimates			\$0.00
					<b>AMOUNT DUE</b>			<b>\$175,108.12</b>
					Original Contract Value			\$395,493.50
					Change Orders to Date			\$0.00
					Adjusted Contract Value			\$395,493.50

**CERTIFICATE OF CONTRACTOR**

I certify that all items, units, quantities and prices of work and material shown in this progress estimate are correct; that all work has been performed and materials supplied in full accordance with the terms of the contract documents and all authorized changes thereto; that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by this estimate, and that no part of the stated amount due on this estimate has been received.

BY: *[Signature]* DATE 11/25/10  
AJM Contractors, Inc.

APPROVED *[Signature]* DATE 12/3/10  
Birdsall Services Group, Inc.

Notes:

## RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Brennan						
Choi						
Hawkins						
Knott						
Norgaard						
Raucci						
Heveran						

# 10-255

DATE: \_\_\_\_\_, 2010

Carried [ ]

Defeated [ ]

Tabled [ ]

Approved on Consent Agenda [ ]

**RESOLVED**, that the Mayor and Council hereby ratify the authorization of the Treasurer to pay the following claims and charge the 2010 Budget and/or Reserve Budget.

Borough of Leonia	Payroll (12/03/10)	225,593.81
Borough of Leonia	Social Security 12/03/10)	11,473.76
Borough of Leonia	Payroll (12/17/10)	193,393.38
Borough of Leonia	Social Security (12/17/100)	10,026.63
Borough of Leonia Swim Pool	Payroll (12/03/10)	2,679.16
Borough of Leonia Swim Pool	Social Security (12/03/10)	204.96
Borough of Leonia Swim Pool	Payroll (12/17/10)	2,597.98
Borough of Leonia Swim Pool	Social Security (12/1710)	198.75
Recreation Activcities Trust	Payroll (12/03/10)	2,904.33
Recreation Activcities Trust	Payroll (12/17/10)	2,436.50
Recycling Trust	Payroll (12/03/10)	2,270.70
Recycling Trust	Payroll (12/17/10)	2,018.40
Woodforest Natl Bank	Swim Pool Charge Cards -Oct	6.95
Woodforest Natl Bank	Rec Act Trust Charge Cards- Oct	30.25
Woodforest Natl Bank	Municipal Court Charge Cards-Oct	222.29
Postmaster, Hackensack	Rec Activities Trust	2.46
Postmaster, Hackensack	Rec Activities Trust-Bulk Mail Permit	185.00

Ratifying Resolution 12/20/10

**456,057.85**

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON \_\_\_\_\_, 2010**

..... BOROUGH CLERK

# RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Brennan						
Choi						
Hawkins						
Knott						
Norgaard						
Rauci						
Heveran						

# 10-256

DATE: \_\_\_\_\_, 2010

Carried [ ]

Defeated [ ]

Tabled [ ]

Approved on Consent Agenda [ ]

**RESOLVED:** that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2010 Budget and/ or Reserve Budget

Current Fund	0-01	136,862.62
Swim Pool	0-05	1,035.63
Capital	C-04	188,768.11
Grant Fund Appropriated	G-01	4,833.81
Unemployment Trust	T-16	30,967.17
Recreation Activities Trust	T-20	5,106.93

**Total**

**\$ 367,574.27**

Claims Resolution 12/20/10

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON \_\_\_\_\_, 2010

..... BOROUGH CLERK

12/16/10  
14:46:46

BOROUGH OF LEONIA  
Purchase Order Listing By Vendor Name

Page No: 1

P.O. Type: All  
Range: First to Last  
Format: Condensed  
Include Non-Budgeted: Y  
Open: N Rcvd: Y Paid: N  
Held: N Aprv: N Void: N  
Bid: Y State: Y Other: Y  
First Enc Date Range: First to 12/31/10

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00011 AGL WELDING SUPPLY CO. INC.								
	10-00011	02/02/10	MEDICAL OXYGEN	Open	369.53	0.00		B
	10-01504	12/14/10	MEDICAL OXYGEN	Open	187.63	0.00		B
					557.16			
05384 AIR BROOK LIMOUSINE								
	10-01327	10/14/10	SHOWBOAT - SEPTEMBER 8, 2010	Open	850.00	0.00		
05689 AJM CONTRACTORS, INC.								
	10-01528	12/14/10	NJDOT IMP - GLENWOOD AVE	Open	175,108.11	0.00		
02674 AQUA MIST IRRIGATION CORP.								
	10-00174	02/06/10	SPRINKLER SYSTEM - SWIM CLUB	Open	110.00	0.00		B
05345 AudioGo								
	10-00111	02/02/10	AUDIO BOOKS	Open	91.09	0.00		B
02185 BAKER & TAYLOR - 510486								
	10-00493	04/06/10	BOOKS - 2010	Open	4,690.47	0.00		B
	10-01239	09/14/10	AUDIO/VISUAL	Open	958.02	0.00		B
					5,648.49			
06341 BARRY RUBACK								
	10-01513	12/14/10	INSTRUCTOR PAY - INDOOR SESSIO	Open	1,742.40	0.00		
00989 BECKER, MYRNA								
	10-01408	10/28/10	REIMBURSEMENT MILEAGE	Open	280.49	0.00		
04144 BERGEN TECHNICAL SCHOOLS								
	10-01451	11/15/10	E-MAIL - ANNUAL FEE	Open	48.00	0.00		
00024 BEYER BROS.								
	10-01410	11/16/10	HVY EQUIPMENT REPAIR	Open	459.78	0.00		B
05446 BIRDSALL ENGINEERING, INC.								
	10-01280	08/24/10	NJDOT & CDBG 2010 ROAD PROGRAM	Open	13,660.00	0.00		B
00277 BNG/BERGEN NEWSPAPER GROUP, LLC								
	10-01501	12/13/10	AD FOR HEALTH FAIR	Open	780.00	0.00		
00094 BOGERT WELDING								
	10-01484	12/08/10	REBUILT LARGE PLOW	Open	1,600.00	0.00		
00052 BOROUGH OF LEONIA								
	10-01509	12/14/10	REIMBURSEMENT PETTY CASH	Open	70.00	0.00		

-----							
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract PO Type
-----							
04310	C & C TIRE, INC.						
	10-01365	10/27/10	FIRESTONE TIRES	Open	520.00	0.00	
05041	CAMPBELL FIRE PROTECTION INC						
	10-01465	12/01/10	FIRE EXTINGUISHER INSPECTIONS	Open	907.40	0.00	
04001	DANTE'S PLACE						
	10-01536	12/15/10	BROWN BAG/FOOD HEALTH FAIR	Open	200.00	0.00	
03534	DELI*CIA						
	10-01539	12/15/10	BROWN BAG LUNCHEON - 11/18/10	Open	100.00	0.00	
02377	DUPLITRON, INC.						
	10-00632	04/23/10	MAINTENANCE FEE	Open	66.00	0.00	B
	10-00827	05/26/10	MAINTENANCE COPIER	Open	66.00	0.00	B
					-----		
					132.00		
00289	E.N. PAUL, INC.						
	10-01086	08/24/10	REPAIRS HEATING & A/C	Open	611.93	0.00	
	10-01087	03/12/10	REPAIR HEAT SYSTEMS	Open	212.50	0.00	
					-----		
					824.43		
05727	EGAN LAURA						
	10-01500	12/13/10	REIMBURSEMENT - HEALTH FAIR	Open	52.70	0.00	
05901	EMPIRE CLUB						
	10-01490	12/09/10	SUBSIDIZE SENIOR HOLIDAY PARTY	Open	500.00	0.00	
00174	ENGLEWOOD CAR WASH						
	10-00108	02/06/10	CLEANING FO SENOIR BUS	Open	60.00	0.00	B
02979	ESS, INC.						
	10-01355	10/27/10	REPROGRAM 4 PAGERS	Open	200.00	0.00	
	10-01356	10/27/10	REPAIR MINITOR	Open	130.00	0.00	
					-----		
					330.00		
01005	FINANCE OFFICE PETTY CASH FUND						
	10-01507	12/14/10	REIMBURSEMENT FOR PETTY CASH	Open	33.40	0.00	
00959	GATES FLAG & BANNER CO.						
	10-01354	10/27/10	FLAGS	Open	120.50	0.00	
05161	GENERAL CODE PUBLISHERS						
	10-01462	12/01/10	LAND DEVELOPMENT PAMPHLETS	Open	504.00	0.00	
01149	KARADONTES NURSERIES, INC.						
	10-01427	11/16/10	TREE PURCHASES & PLANTINGS	Open	2,000.00	0.00	
02895	KEYSTONE PRINTING						

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-01390	10/28/10	2011 ELM ST. PARKING PERMITS	Open	295.00	0.00		
00196	LEONIA RECREATION COMMISSION							
	10-01471	12/06/10	REIMBURSEMENT PETTY CASH	Open	108.07	0.00		
	10-01508	12/14/10	REIMBURSE RECREATION PETTY CAS	Open	435.29	0.00		
					-----			
					543.36			
03102	LEONIA SWIM POOL PETTY CASH							
	10-01488	09/13/10	REIMBURSEMENT PETTY CASH	Open	95.98	0.00		
05173	LIEBERMAN, PETER							
	10-01489	12/09/10	MUSICAL ENTERTAINMENT	Open	300.00	0.00		
00224	MACO OFFICE SUPPLIES							
	10-01506	12/13/10	OFFICE SUPPLIES	Open	493.94	0.00		
00230	MGL PRINTING SOLUTIONS							
	10-01345	10/18/10	DOG & CATS LICENSES FOR 2011	Open	293.00	0.00		
00220	MOORE'S HARDWARE OF LEONIA							
	10-00001	02/02/10	MISC. MATERIALS AND SUPPLIES	Open	676.14	0.00		B
	10-00141	02/06/10	MISCELLANEOUS HARDWARE SUPPLIE	Open	65.71	0.00		B
	10-01012	07/29/10	HARDWARE SUPPLIES	Open	9.87	0.00		B
					-----			
					751.72			
00275	N.J. LEAGUE OF MUNICIPALITIES							
	10-01349	10/26/10	AD FOR COURT ADMINISTRATOR	Open	70.00	0.00		
	10-01449	11/29/10	LEGISLATIVE BULLETINS	Open	21.00	0.00		
	10-01450	11/29/10	LEGISLATIVE BULLETIN	Open	7.00	0.00		
					-----			
					98.00			
00250	NATIONAL FIRE PROTECTION ASSOC							
	10-01317	10/14/10	MEMBERSHIP RENEWAL	Open	316.45	0.00		
03245	NEW JERSEY EMERGENCY VEHICLES							
	10-01505	12/13/10	BATTERIES - LABOR	Open	1,030.55	0.00		
05715	NEXTEL COMMUNICATIONS							
	10-01486	12/08/10	CELL PHONE	Open	91.26	0.00		
	10-01487	12/08/10	CELL PHONE	Open	123.01	0.00		
					-----			
					214.27			
00263	NJ PLANNING OFFICIALS							
	10-01228	09/27/10	EDUCATION PROGRAM	Open	74.00	0.00		
03325	PACO, VICTOR							
	10-01497	12/09/10	CUSTODIAN SERVICE/HEALTH FAIR	Open	250.00	0.00		
00762	PETERS, JOHN L.							



-----							
Vendor # Name							
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
-----							
10-01519	12/14/10	REIMBURSE FOR MILEAGE 1st qtr	Open	347.75	0.00		
10-01520	12/14/10	REIMBURSE MILEAGE - 2nd QUARTE	Open	339.85	0.00		
10-01521	12/14/10	REIMBURSE MILEAGE - 3rd QUARTE	Open	495.05	0.00		
				-----			
				1,182.65			
05458	PITNEY BOWES						
10-00528	04/19/10	RENTAL POSTAGE MACHINE	Open	639.00	0.00		B
03385	POLAND SPRING						
10-00078	02/08/10	SPRING WATER - RECREATION	Open	6.27	0.00		B
10-00293	02/06/10	WATER MAINTENANCE	Open	9.11	0.00		B
10-00650	04/23/10	SPRING WATER - DPW	Open	22.99	0.00		B
				-----			
				38.37			
02772	POSITIVE PROMOTIONS						
10-01503	12/13/10	SUPPLIES FOR RED RIBBON WEEK	Open	396.75	0.00		
03215	PRIEST, AMY						
10-01542	12/16/10	BALANCE DUE INSTRUCTOR PAY	Open	340.00	0.00		
06338	PRIME MSP						
10-00670	05/19/10	MONTHLY HOSTING WEB-SITE	Open	99.00	0.00		B
05553	PROCOMM SYSTEMS INC.						
10-01383	11/03/10	ADD EMS RADIO CONSOLE	Open	1,272.00	0.00		
00288	PUBLIC SERVICE ELECTRIC & GAS						
10-01417	11/16/10	GAS & ELECTRIC SERVICE - SEPT.	Open	12,229.25	0.00		
10-01418	11/16/10	STREET LIGHTING	Open	8,810.94	0.00		
10-01480	12/07/10	STREET LIGHTING	Open	8,854.40	0.00		
10-01482	12/08/10	GAS & ELECTRIC - OCTOBER 2010	Open	7,317.97	0.00		
				-----			
				37,212.56			
03410	QUIKTEKS						
10-01054	08/18/10	HALF YR MAINANTANCE OF COMPS.	Open	579.50	0.00		B
05605	R & R IRRIGATION CO. INC.						
10-01466	12/01/10	WINTERIZATION SYLVAN PARK	Open	400.00	0.00		
05654	RACHLES/MICHELE'S OIL CO.						
10-01393	11/04/10	gasoline	Open	6,798.50	0.00		B
10-01412	11/16/10	DIESEL FUEL	Open	10,351.14	0.00		B
				-----			
				17,149.64			
03558	ROJO LUIS F.						
10-01510	12/14/10	KITCHEN HELP - HEALTH FAIR	Open	200.00	0.00		
00331	SANITATION EQUIPMENT CORP.						
10-00763	05/26/10	HVY EQUIPMENT REPAIR	Open	164.28	0.00		B

12/16/10  
14:46:46

BOROUGH OF LEONIA  
Purchase Order Listing By Vendor Name

Page No: 5

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-01522	11/16/10	REPAIR G3 TRUCK	Open	3,720.42	0.00		
	10-01523	11/16/10	REPAIR PACKER/CARRIER ASSB=EMB	Open	7,865.98	0.00		
					11,750.68			
00347 STATE LINE FIRE & SAFETY INC.	10-01350	10/26/10	WHELEN L31HRF SUPER LED BEACON	Open	706.95	0.00		
04851 STATE OF NEW JERSEY	10-01424	11/16/10	REIMBURSEMENT BILLING	Open	30,967.17	0.00		
01012 STRONGWEAR UNIFORM CO.	10-01066	08/18/10	UNIFORM ALLOWANCE	Open	1,393.00	0.00		
03500 SUNG JULIE	10-01538	12/15/10	INSTRUCTOR PAY	Open	921.60	0.00		
00352 T.J. STORFF LANDSCAPING, INC.	10-00586	05/04/10	GROUND MAINTENANCE/SWIM POOL	Open	725.00	0.00		B
03474 TANEUM	10-01278	10/19/10	TONER CARTRIDGE	Open	255.00	0.00		
03073 TAPPEN, JANE	10-01498	12/09/10	3rd QTR COORDINATOR FEE	Open	701.48	0.00		
	10-01525	12/14/10	2nd QUARTER COORDINATOR FEE	Open	350.72	0.00		
					1,052.20			
03384 THE CENTER FOR ALCOHOL & DRUG	10-01502	12/13/10	PROGRAM MIDDLE SCHOOL -	Open	750.00	0.00		
5725 THE MILL @ SPRING LAKE HEIGHTS	10-01543	12/16/10	BALANCE DUE FOR SR. LUNCHEON	Open	1,071.92	0.00		
05590 THERMO-O-JET	10-01527	12/14/10	WASHING OF AMBULANCES	Open	580.00	0.00		B
03502 TRANSPORTATION SAFETY APPAREL	10-00201	02/06/10	RAIN PANTS/RAIN JACKETS	Open	633.22	0.00		
05525 TRI STATE ATHLETIC FIELD	10-00813	06/22/10	MAINTENANCE SYLVAN PARK	Open	4,000.00	0.00		B
04974 UNITED MOTOR PARTS	10-00968	08/03/10	VEHICLE MAINTENANCE	Open	285.78	0.00		B
00150 UNITED WATER NJ	10-01196	09/10/10	WATER SERVICE	Open	41.02	0.00		
	10-01429	11/17/10	WATER SVCE VARIOUS BORO LOCATI	Open	459.43	0.00		
	10-01469	12/02/10	FIRE HYDRANTS	Open	8,121.00	0.00		
					8,621.45			

Vendor # Name		PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
03357	USA MOBILITY WIRELESS, INC.	10-01544	12/16/10	PAGERS	Open	265.98	0.00			
04512	VECTOR SECURITY	10-00172	02/06/10	SECURITY SYSTEM SWIM POOL	Open	87.99	0.00		B	
00258	VERIZON	10-01475	12/06/10	TELEPHONE SERVICE - NOVEMBER	Open	1,771.93	0.00			
		10-01478	12/07/10	TELEPHONE SVCE POL. FRONT DESK	Open	1,105.99	0.00			
		10-01479	12/07/10	DEDICATED LINE BREATHLIZER	Open	32.03	0.00			
						2,909.95				
01273	VERIZON WIRELESS	10-00027	02/02/10	WIRELESS AIR SVCE-JAN/DEC 2010	Open	280.07	0.00		B	
		10-00107	02/06/10	MONTHLY CHARGES - SR BUS CELL	Open	23.57	0.00		B	
		10-01419	11/16/10	CELL PHONE SVCE - 9/24 - 10/23	Open	633.62	0.00			
		10-01474	12/06/10	CELL PHONE SERVICE - BOROUGH	Open	666.86	0.00			
						1,604.12				
05783	WASTE MANAGEMENT OF NJ INC.	10-01415	11/16/10	TIPPING FEES	Open	21,975.56	0.00		B	
00396	WESTERN TERMITE AND PEST CONTR	10-00303	03/09/10	PEST CONTROL SERVICES - 2010	Open	24.99	0.00		B	
		10-00304	03/09/10	PEST CONTROL SERVICE 2010	Open	16.66	0.00		B	
		10-00305	03/09/10	PEST CONTROL SERVICE 2010	Open	219.45	0.00		B	
						261.10				
05686	WILSON JANE	10-01514	12/14/10	REIMBURSEMENT REGISTRATION FEE	Open	250.00	0.00			
04293	WINNETT'S CLEANING SERVICE	10-01164	08/20/10	CLEANING SVCE - BORO BLDGS	Open	2,292.66	0.00		B	
03489	WPCS INTERNATIONAL INC.	10-01425	11/16/10	REPAIR LAPTOP	Open	1,560.09	0.00			
06147	ZURICH, NANCY	10-01333	10/14/10	REFUND YOGA & ME	Open	45.00	0.00			
03184	ZYGIEL, ALETA RN	10-01499	12/13/10		Open	701.44	0.00			
		10-01524	12/14/10	2nd QUARTER COORDINATOR FEE	Open	350.72	0.00			
Total Purchase Orders: 111						Total P.O. Line Items: 304	Total List Amount: 367,574.27	Total Void Amount: 0.00		

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	136,862.62	0.00
SWIM POOL FUND	0-05	1,035.63	0.00
	Year Total:	137,898.25	0.00
	C-04	188,768.11	0.00
GRANT FUND APPROPRIATED:	G-01	4,833.81	0.00
	T-16	30,967.17	0.00
	T-20	5,106.93	0.00
	Year Total:	36,074.10	0.00
Total of All Funds:		367,574.27	0.00

# BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-257
DATE
Carried
Defeated
Tabled
Approved

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Leonia that the 50/50 on Premise Raffle for the American Legion on January 9, 2011 is hereby approved.

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

\_\_\_\_\_  
**BOROUGH CLERK**

12/16/2010

5

# BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-258
DATE
Carried
Defeated
Tabled
Approved

**WHEREAS**, on July 13, 2010, Governor Christie signed into law P.L. 2010, c. 44, which reduced the cap on property tax levy from 4% to 2% and limited the number of exemptions; and

**WHEREAS**, when the property tax levy was reduced, the exemption for the Reserved for Uncollected Taxes was removed; and

**WHEREAS**, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

**WHEREAS**, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

**WHEREAS**, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

**WHEREAS**, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

**WHEREAS**, without a cap levy exemption, municipality will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

**WHEREAS**, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

**WHEREAS**, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

**NO, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia hereby urges the swift passage and signing of A-3603;

**BE IT FURTHER IT FURTHER RESOLVED**, that consideration also be given to providing for the impact of tax appeals on local operations; and

**BE IT FURTHER RESOLVED**, that copies of the Resolution be forwarded to New Jersey Governor Christopher Christie, Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator and our two Representatives in the General Assembly, and to the New Jersey League of Municipalities

**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
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-259
DATE 12/20/2010
Carried
Defeated
Tabled
Approved

**WHEREAS**, on December 14, 2010, 19 bids were received and opened for Improvement to Wood Park, utilizing NJDEP Green Acres and Bergen County Community Development and Open Space Programs; and

**WHEREAS**, the four lowest bidders were Let It Grow, Inc., Adamo Brothers, Construction, Inc., Trino Associates, LLC and MJ D'Arminio, Inc., and

**WHEREAS**, the low bidder for the project is Let It Grow, Inc. base bid amount \$279,538.00; Alternate A-1 \$5,512.50; Alternate A-2 \$11,424.00; and

**WHEREAS**, both the Engineer and the Borough Attorney have reviewed and recommended the bid be awarded to Let It Grow, Inc per the attached memos

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Leonia the contract for Wood Park Improvements is hereby awarded to Let It Grow, Inc.

**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
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-260
DATE
Carried
Defeated
Tabled
Approved

**WHEREAS**, the Mayor and Council of the Borough of Leonia advertised the Request for Proposals for the Provision of Emergency Medical Services for nine (9) months beginning on January 1, 2011 through September 30, 2011; and

**WHEREAS**, the Borough received one (1) response to the Request for Proposals, from Englewood Hospital and Medical Center; and

**WHEREAS**, the Mayor and Council have reviewed the response submitted by Englewood Hospital and Medical Center to provide emergency medical services as outlined in the request for proposals; and

**WHEREAS**, the Mayor and Council of the Borough of Leonia find that entering into an agreement with Englewood Hospital and Medical Center would be in the best interest of the Borough and its residents;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Leonia do hereby authorize the Mayor and Borough Clerk to execute whatever documents are necessary to effectuate and memorialize the terms of the agreement.

**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
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-261
DATE
Carried
Defeated
Tabled
Approved

**WHEREAS;** the New Jersey Clean Energy Program has announced an Energy Efficiency and Conservation Block Grant Rebate Program together with a Direct Install Program to upgrade various electrical devices in the Borough of Leonia to more cost-effective and efficient fixtures, and

**WHEREAS;** Lime Energy of Woodbridge, N.J.; a State of New Jersey authorized contractor, has completed an evaluation of six (6) Borough-owned buildings and provided an analysis of energy-efficient fixtures and devices; and

**WHEREAS;** utilizing the Block Grant Program the Borough can retrofit both the DPW Garage and the Recreation Center Building using the recommendations prepared by Lime Energy and the Clean Energy Direct Install Program; and

**WHEREAS;** additionally applying the \$20,000 Energy Efficient and Conservation Block Grant Rebate there will be little or no cost to the Borough; and

**NOW THEREFORE;** be it resolved that the Borough Administrator is hereby authorized to complete and submit the 2010 Direct Install Participation Agreement and the Energy Efficiency and Conservation Block Grant Rebate Application on behalf of the Borough of Leonia.

**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
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-262
DATE 12/20/2010
Carried
Defeated
Tabled
Approved

**WHEREAS;** Clair P. Flynn began her service to the Borough of Leonia as a part-time employee on October 29, 1980 and thereafter became a fulltime Principal Account Clerk on January 1, 1984; and

**WHEREAS;** Mrs. Flynn was promoted to Payroll/Purchasing Clerk on October 6, 1998, and furthermore, she was promoted to Supervisor of Accounts on January 1, 2001, and furthermore, she was promoted to the position of Assistant Treasurer on July 19, 2007, and;

**WHEREAS;** Mrs. Clair P. Flynn has announced her intention to retire from the Borough of Leonia effective December 31, 2010 after twenty-seven (27) years of dedicated and professional service; and

**WHEREAS;** Chapter 46-38 entitles Mrs. Flynn to be covered by health care insurance upon her retirement and to be paid, at the discretion of the Governing Body, for unused vacation and accrued sick time;

**NOW THEREFORE,** be it resolved that Mrs. Clair P. Flynn shall be compensated for ten (10) unused vacation days at her current daily rate of pay or \$\$2,449.90, and additionally; Mrs. Flynn, having accrued 134 unused sick days in her tenure of service with the Borough, she will additionally be paid \$\$32,868.66 in two equal installments, the first in 2011 and the second in 2012; and

**BE IT FURTHER RESOLVED;** that Mrs. Flynn will continue to receive paid health care coverage for her only as a single enrollee in the Boroughs insurance plan that excluding dental and disability insurance and that pursuant to Section 46-38 of the Borough Code, she will not receive any reimbursement for Medicare Part "B"; and

**BE IT FURTHER RESOLVED;** that Mrs. Flynn may return to service of the Borough in 2011 as a paid contract vendor for a salary not to exceed \$15,000.00 for the calendar year 2011; and

**BE IT FURTHER RESOLVED:** that on behalf of all the residents of Leonia this Governing Body hereby recognizes the twenty-seven years of dedicated service to the Borough and we all wish her success and happiness in her retirement.

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

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

## BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10-263
DATE
Carried
Defeated
Tabled
Approved

**WHEREAS;** members of the Leonia Police Department PBA Local #381 expressed an interest in reopening the Collective Bargaining Agreement as it relates to their daily schedule; and

**WHEREAS;** the matter has been reviewed by the Police Committee that recommends the institution of a twelve-hour Modified Pitman Schedule for a trial period of one year; and

**WHEREAS;** the member of PBA Local #381, through their counsel, prepared a Memorandum of Understanding implementing the said twelve-hour shift on a trial basis effective January 1, 2011 and terminating December 31, 2011 unless mutually extended for a second year in which case it would terminate on December 31, 2012; and

**WHEREAS;** the said Memorandum of Understanding has been reviewed, amended and accepted by both the Borough Attorney, Mr. Brian T. Giblin, Esq., and the Borough Administrator and signed by PBA President Erik Goodell on December 2, 2010; and

**NOW THEREFORE BE IT RESOLVED;** that the Governing Body hereby accepts the Memorandum of Understanding and the Mayor and Borough Clerk are hereby authorized to execute the said Agreement on behalf of the Borough.

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

\_\_\_\_\_  
BOROUGH CLERK

12/2/10

BOROUGH OF LEONIA  
And  
LEONIA PBA LOCAL NO. 381

MEMORANDUM OF UNDERSTANDING

1. This Memorandum of Understanding shall be a "side agreement" between the Borough of Leonia and Leonia Police Benevolent Association Local No. 381. In the event of conflict between this Memorandum of Understanding and the Collective Bargaining Agreement between the Borough of Leonia and Leonia Police Benevolent Association Local No. 381, the terms of the Memorandum of Understanding shall control. This Memorandum of Understanding shall be fully subject to and covered by the grievance procedure set forth in the Collective Bargaining Agreement as if it were directly incorporated therein.
2. Effective January 1, 2011, a trial work schedule shall be substituted for Employees in the bargaining unit in replacement of the schedule found in Article X of the Agreement. The trial work schedule shall consist of twelve (12) hour work tours in a modified Pittman schedule. The schedule shall consist of two (2) days of work followed by two (2) days off, followed by three (3) days of work, followed by two (2) days off, followed by two (2) days of work, followed by three (3) days off.

X	X	D	D	X	X	X	D	D	X	X	D	D	D
X	X	E	E	X	X	X	E	E	X	X	E	E	E
D	D	X	X	D	D	D	X	X	D	D	X	X	X
E	E	X	X	E	E	E	X	X	E	E	X	X	X

3. Employees assigned to the trial schedule will be granted two hundred thirty-four (234) hours of Kelly time each year that the trial schedule is utilized. This amount is

dependent upon the Employee's schedule to bring the Employee to a total of nineteen hundred and fifty (1,950) scheduled hours. Employees will schedule and utilize any Kelly time hours earned under this Agreement on or before December 31 of each year of the trial schedule. Request will not be unreasonably denied. At the Mayor and Council's discretion, Kelly time hours may be carried over for extenuating circumstances.

4. The ASSOCIATION and the BOROUGH agree that the Chief of Police may assign Administrative Officers and Detective Bureau Officers an alternate schedule consisting of nineteen hundred and fifty (1,950) hours per year. This scheduled can either be five - two (5-2) eight (8) hour tours or four - three (4-3) ten (10) hour tours totaling nineteen hundred and fifty (1,950) hours.
5. The ASSOCIATION agrees that Employees must be available for overtime assignments mandated by the Chief of Police. The Chief of Police will continue to utilize volunteers for overtime assignments when available pursuant to Article XLI of the Collective Bargaining Agreement.
6. Vacation Time and Personal Leave shall be converted from days to hours. The below charge sets forth the above time off for the current eight (8) hours work day and sets forth the "new" time off for the proposed twelve (12) hour work day.

<b><u>Vacation Days</u></b>	
<u>Current 8 Hour Day</u>	<u>12 Hour Conversion</u>
22 days x 8 hours= 176 hours	14.67 days x 12 hours= 176 hours
20 days x 8 hours= 160 hours	13.33 days x 12 hours= 160 hours
19 days x 8 hours= 152 hours	12.66 days x 12 hours= 152 hours
17 days x 8 hours= 136 hours	11.33 days x 12 hours= 136 hours
14 days x 8 hours= 112 hours	
12 days x 8 hours = 96 hours	

	9.33 days x 12 hours= 112 hours
	8 days x 12 hours = 96 hours
<b><u>Personal Time</u></b>	
<u>Current 8 Hour Day</u>	<u>12 Hour Conversion</u>
2 days x 8 hours= 16 hours	1.33 days x 12 hours= 16 hours

All other days shall be calculated and reduced to hours so that no additional time is realized or lost by moving to a twelve (12) hours day schedule then what is already provided in the Agreement. For partial days granted in the twelve (12) hour vacation and personal schedule, Employees may, at the Employee's sole option, choose between utilizing a partial day or utilize Kelly time to make up the difference to a full vacation day and personal day.

7. Release time for union business including PBA meetings and conventions shall continue without modification, except that an officer will be released for union business only during those hours that are necessary to conduct said union business. At all other times, whether before or after the union business takes place, the officer shall be obligated to perform his or her scheduled duties.
8. When Employees are assigned to classes at the Police Academy, at the conclusion of the class, the Employee shall return to complete his/her remaining time on his/her twelve (12) hour shift. Probationary Police Officers assigned to the Police Academy on a full time basis for initial Police certification shall work the schedule determined by the Police Academy.



9. The trial schedule set forth in this Memorandum of Understanding shall be effective for a one year trial period at a minimum. Unless terminated by written notice to the other party served on or before September 1, 2011, the trial period will extend by an additional year to December 31, 2012. Unless continued by the joint agreement of PBA Local No. 381 and the Borough of Leonia, the schedule and time off provisions contained in this Memorandum of Understanding shall terminate effective at 12:01 A.M. on December 31, 2011 or 12:01 A.M. on December 31, 2012 if extended pursuant to this paragraph.
10. Employees assigned to the trial schedule shall be limited to not more than sixteen (16) hours of work, including on duty, extra duty or outside employment, in a twenty-four (24) hour period except during police emergencies.
11. If the trial schedule is terminated, all contractual terms and practices concerning scheduling shall return to the previous schedule consisting of four (4) on, two (2) off eight (8) hour shifts, totaling one thousand nine hundred fifty (1,950) hours.
12. During the term of the trial period set forth in this Memorandum of Understanding, the parties shall meet periodically to discuss any and all issues, complaints, problems or successes of the trial schedule. At any time during the trial period, the parties may modify any terms of this Memorandum of Understanding by written agreement executed by both parties.
13. This Memorandum of Understanding shall be a part of the Collective Bargaining Agreement and alleged violations of this Memorandum of Understanding shall be subject to Article XXII.
14. Decisions with respect to the application of this Memorandum of Understanding rendered by the Public Employment Relations Commission or an arbitrator appointed pursuant to Article XXII shall be final. If this paragraph is determined to be invalid or outside of the scope of negotiations, such invalidity shall not impair the validity

and enforceability of the remaining provisions of this Memorandum of Understanding including Paragraph 13 herein.

15. Except as set forth in this Memorandum of Understanding, the Collective Bargaining Agreement shall remain unmodified.

IN WITNESS WHEREOF, the Parties hereto have entered their hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

BOROUGH OF LEONIA

LEONIA PBA LOCAL NO. 381

\_\_\_\_\_

*E. Maddell, Pres 381*

*Jack Vesthume*  
*Baro Administrator*  
*12/9/2010*