



**Borough of Leonia**  
Leonia Senior Center  
305 Beechwood Place  
Leonia, NJ 07605

**Trina Lindsey**  
*Borough Clerk*  
  
www.leonianj.gov

Meeting: 02/06/23 7:30 PM

## **Mayor and Council Meeting - Regular**

- 1 FLAG SALUTE**
- 2 OPEN MEETING STATEMENT** - *Conditions of the Open Meetings Act have been met by Notice placed on the Bulletin Board at Borough Hall and notice sent to the Official Newspaper.*
- 3 ROLL CALL**
- 4 PRESENTATIONS/REMARKS**
- 5 COMMENTS FROM THE PUBLIC - TWO (2) MINUTES PER SPEAKER**
- 6 APPOINTMENT**
  - 6.1. RES. 2023-70 Re-Appointment and Salary Increase for Seasonal Pool Manager for the 2023 Swim Club Season  
[2023-70 Authorize Re-Appointment and Salary Increase of Seasonal Pool Manager.pdf](#)  
[Adopted Rec Commission Resolution 23-01 Reappoint of Tym Ryan.pdf](#)
- 7 APPROVAL OF MINUTES**
  - 7.1. December 10, 2022 Budget Meeting  
[December 10, 2022 Special Budget Meeting Minutes.pdf](#)
  - 7.2. December 19, 2022 Work Session Meeting Minutes  
[December 19, 2022 Work Session Meeting Minutes.pdf](#)
- 8 REPORTS**
  - A. COUNCIL REPORTS**
  - B. MAYOR'S REPORT**
  - C. BOROUGH ADMINISTRATOR'S REPORT**
  - D. BOROUGH ATTORNEY'S REPORT**
  - E. BOROUGH ENGINEER'S REPORT**

## 9 ADOPTION OF ORDINANCES

- 9.1. ORD. 2023-01 Cannabis Ordinance  
[Adoption of ORD 2023-01.pdf](#)  
[ORD. 2023-01 Leonia Cannabis Ordinance.pdf](#)

## 10 INTRODUCTION OF ORDINANCES

- 10.1. ORD. 2023-02 Regulation of Gas-Powered Leaf Blowers  
[Intro Ord 2023-02.pdf](#)  
[ORD. 2023-02 Regulation of Gas Powered Leaf Blowers.pdf](#)

## 11 NON-CONSENT RESOLUTIONS

- 11.1. RES. 2023-71 Area in Need of Redevelopment Designation  
[2023-71 Reso of GB designating NC AINR and directing PB to prepare RDP \(Grand Ave & Willow Tree Rd\)\\_revised.pdf](#)

## 12 CONSENT RESOLUTIONS

- 12.1. RES. 2023-72 Authorize Bill List  
[2023-72 Authorize Bill List.pdf](#)  
[2023-72 Bill List Backup.pdf](#)
- 12.2. RES. 2023-73 Authorize Cancellation and Refund of Taxes for 2023 Disabled Veteran Exemption (Benitez)  
[2023-73 Authorize Cancellation and Refund of Taxes for 2023 Disabled Veteran Exemption \(Benitez\).pdf](#)
- 12.3. RES. 2023-74 Authorize Cancellation and Refund of Taxes for 2023 Disabled Veteran Exemption (Oh)  
[2023-74 Authorize Cancellation and Refund of Taxes for 2023 Disabled Veteran Exemption \(Oh\).pdf](#)
- 12.4. RES. 2023-75 Change Orders #18 and 19 - New Municipal Building Construction Project  
[2023-75 Change Orders \\$18 and 19 - New Municipal Building Construction Project.pdf](#)  
[Change Order #18.pdf](#)  
[Change Order #19.pdf](#)
- 12.5. RES. 2023-76 Authorize Hire of Substitute Crossing Guard  
[2023-76 Authorize Appointment of Substitute Crossing Guard.pdf](#)

## 13 UNFINISHED BUSINESS

- 13.1. At Home Business Ordinance - Joanne Terrell
- 13.2. Discussion of Leonia Ambulance Contractual Services - Bill Ziegler

**14 NEW BUSINESS**

14.1. Leonia Fire Department Anniversary - Louis Grandelis

**15 CORRESPONDENCE**

15.1. Correspondence from Eid Committee of New Jersey  
[Lighting Request\\_Leonía.pdf](#)

**16 CLOSED SESSION** - *Whereas the Borough of Leonia desires to meet in private and/or Executive Session to discuss matters that are permitted by the exceptions to the Open Public Meetings Act as indicated herein:*

16.1. A. Litigation Tax Appeal  
[2023-77 Closed Session.pdf](#)  
[2023-78 Tax Appeal - Ambrose.pdf](#)

**17 ADJOURNMENT**

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-70**

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Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**RE-APPOINTMENT AND SALARY INCREASE OF SEASONAL POOL MANAGER**

**WHEREAS**, the position of Pool Manager under the Recreation Department is a seasonal position and is in need of re-appointment for the 2023 Swim Club Season; and

**WHEREAS**, as per N.J.S.A. 40:12-6 and Chapter 11-6 of the Borough Code, the Recreation Commission may appoint a Pool Manager subject to the approval of the governing body of the Borough of Leonia; and

**WHEREAS**, the Recreation Commission appointed Timothy Ryan as the Pool Manager on January 17, 2023 via Resolution #23-01 with an increased salary of \$13,262.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey:

1. Confirm the re-appointment of Timothy Ryan as Swim Club Pool Manager of the Borough of Leonia.
2. Timothy Ryan shall be paid \$13,262.00 annually in accordance with the Salary Ordinance of the Borough of Leonia

**BE IT FURTHER RESOLVED**, that certified copies of this resolution shall be provided to: (i) Timothy Ryan; (ii) the Recreation Commission of the Borough of Leonia; (iii) Brian M. Chewcaskie, Borough Attorney.

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

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Trina Lindsey, RMC  
Borough Clerk

**LEONIA RECREATION  
COMMISSION RESOLUTION**

#23-01

Date: January 17, 2023  
 Carried  Defeated  Tabled   
 Approved on Consent Agenda

COMMISSION	Motion	Second	Yes	No	Abstain	Absent
Abouaf			✓			
Choi			✓			
Fernandez			✓			
Hernandez	✓		✓			
Mazza						✓
Mulato			✓			
Vassallo		✓	✓			
Alt. Klein						

**RE-APPOINTMENT AND SALARY INCREASE OF SEASONAL POOL MANAGER - TIMOTHY RYAN**

**WHEREAS**, the position of Pool Manager under the Recreation Department is a seasonal position and is in need of a re-appointment for the 2022<sup>3</sup> Swim Club Season; and


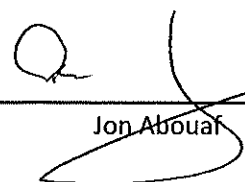
**WHEREAS**, as per N.J.S.A. 40:12-6 and Chapter 11-16 of the Borough Code, the Recreation Commission may appoint a Pool Manager subject to the approval of the governing body of the Borough of Leonia; and

**WHEREAS**, the Recreation Commission has appointed Timothy Ryan as the Pool Manager on February 23, 2021 via resolution #21-02

**NOW, THEREFORE, BE IT RESOLVED**, that the Leonia Recreation Commission hereby appoints Timothy Ryan as the Swim Club Pool Manager for the 2023 season at a rate of ~~\$13,500~~ in accordance with the Salary Ordinance of the Borough of Leonia

~~\$13,500~~  
\$13,262

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED BY THE RECREATION COMMISSION AT THE January 17, 2023 MEETING.**

CHAIRPERSON    
 Jon Abouaf



## BOROUGH OF LEONIA

### COUNCIL- Special Budget Meeting ~ Minutes ~

Trina Lindsey, Borough Clerk

312 Broad Avenue  
Leonia, NJ 07605  
<http://www.leonianj.gov/>

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**December 10, 2022**

**8:00 am**

**Leonia Senior Center**

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A Special Budget Meeting of the Mayor and Council of the Borough of Leonia was held in person at the Leonia Senior Center at 305 Beechwood Place, Leonia, NJ, and virtually via GoToMeeting on December 10, 2022. The meeting was called to order at 8:00 am by Mayor Zeigler.

Those present were led in the Flag Salute by Councilman Fusco.

Mayor Zeigler read the following statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Reorganization Meeting, are posted on the public bulletin board in Borough Hall and on the Borough website, published in the Record within the first 10 days of the New Year, and copies are sent to the Star Ledger. Notice of this meeting was published in the January 19<sup>th</sup> edition of the Record, sent to the Star Ledger, and posted on the public bulletin board in Borough Hall and on the Borough website."

**PRESENT:** Mayor Judah Zeigler, Councilwoman Maureen Davis, Councilman Pasquale Fusco, Councilman Louis Grandelis, Councilman Hesterbrink, and Councilman William Ziegler

**ABSENT:** Councilwoman Joanne Terrell

**ALSO PRESENT:** Borough Administrator Andrea Wardrop  
Chief Financial Officer Cameron Keng  
Borough Clerk Trina Lindsey

#### ***Public Comment***

The record will reflect that no such comments were entered into the chat window accessible through GoToMeeting nor via the United States Postal Service or Email.

#### ***Consent Resolutions***

**RES. 2022-270 Authorization to Serve Alcohol at the Leonia Senior Center**  
[2022-270 Authorization to Sever Alcohol at the Leonia Senior Center.pdf](#)

Motion by Councilman Ziegler, second by Councilman Grandelis, that the Consent Agenda

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilwoman Davis:	aye	Councilman Hesterbrink:	aye
Councilman Fusco:	aye	Councilwoman Terrell:	absent
Councilman Grandelis:	aye	Councilman Ziegler:	aye

### ***Department Budget Presentations***

Mayor Zeigler began the meeting by explaining the process that would follow. Borough Administrator Wardrop thanked Chief Financial Officer (CFO) Cameron Keng for his help throughout the budget process.

### **Department of Public Works**

Mayor Zeigler turned the discussion over to DPW Superintendent John Villareal.

DPW Superintendent Villareal provided the Goals and Objectives of the Department of Public Works for the upcoming year. The DPW's main goal is to continue to provide high-quality service to the public for the upcoming year.

Mayor Zeigler asked the DPW Superintendent if there were any major budgetary concerns or issues that he foresees in the future. DPW Superintendent Villareal stated that his major concern was over the pricing of materials that are necessary for daily operations. Costs are expected to rise at least 25% if not higher, causing a higher cost of operation. This is expected to continue into 2023, with supply chain issues expected to see some reprieve in certain areas but not all.

Chief Financial Officer Cameron Keng noted that most likely there will be more issues in the future related to the supply chain. This will be seen for both capital items and daily expenses such as fuel. DPW Superintendent Villareal also noted that fuel surcharges that were never charged before by certain vendors are now a factor in increased costs.

Councilman Grandelis, Davis, and Fusco had no further questions or comments to make regarding the DPW Budget. Councilman Fusco thanked the DPW for all their hard work and responsiveness throughout the year.

Councilman Ziegler noted that the total requested amount is higher than the 2022 appropriations. It was explained that certain line items were transferred into the DPW Budget that was not there previously, particularly vehicle maintenance. Councilman Ziegler asked that CFO Keng provide further explanation as to these transfers.

CFO Keng explained that vehicle maintenance is a major focus for the upcoming year. In the prior year, the vehicle maintenance budget was split between the DPW and Police Department, with a decision being made to consolidate the two budgets into one under the DPW. More vehicle use is expected in the upcoming year as well, increasing the need for increased funding.

CFO Keng also explained that Right to Know was another budget item that was added to the DPW Budget. Items were consolidated as well to ensure that budget lines are not overdrawn for smaller lines that were originally set to low amounts such as \$500.00.

Councilman Ziegler asked that there be more transparency in terms of transfers so that an explanation is given as to why one department's budget may be larger or smaller due to them.

Councilman Hesterbrink stated that he wished to make sure that if departments see a large increase in their budget due to transfers that they spend it conservatively so that they are prepared for any large unexpected expenses. CFO Keng stated that what is being budgeted for are necessary expenses with some left over for unexpected costs, to decrease the effect the budget has on tax.

On a question from the mayor, it was confirmed that the DPW Medical line item with a total amount of \$0.00 budgeted was consolidated.

CFO Cameron Keng made note that due to a federal lawsuit against the State of New Jersey, regulations may change and thus Leonia may need to acquire new street sweeping equipment to comply.

Mayor Zeigler asked that specific care be taken with the tipping fees line item.

Mayor Zeigler requested the tightening of the budgeted appropriations for the DPW Maintenance line item to bring it closer to the actual appropriations made in the past.

### **Board of Health**

Mayor Zeigler introduced Health Official James Fedorko, who will be serving as the representative of the Board of Health.

Health Official Fedorko explained the various health services that Mid-Bergen Regional provides for the Borough of Leonia, highlighting the recent contract made with Holy Name Hospital for public health nursing and the services provided through it.

Mayor Zeigler inquired as to how many hours were contracted as part of the agreement, to which Health Official Fedorko replied that there are 12 contracted hours. Typically, the number of hours worked by the Health Inspector is closer to 14 hours but the Borough of Leonia is only charged for the contracted amount. For the public health nurse, there is also a set number of hours that they contractually provide. A health educator is also being provided to the Borough of Leonia, which comes at no additional fee.

Health Official Fedorko stated that Animal Control services are contracted with Bergen County Animal Services, which is a separate fee.

Councilwoman Davis and Councilman Fusco had no questions.

Councilman Ziegler questioned the increased appropriations requested for nursing services. Mayor Zeigler explained that due to the retirement of the public health nurse and the change in providers for increased services, the amount stated for 2022 is most likely not accurately represented.



Councilman Ziegler also asked about the requested amount for the registrar, as it saw a change from the previous year. Mayor Zeigler explained further in detail the reasoning behind the change, as it is related to changes in staff and service.

Councilman Hesterbrink asked if the amount budgeted for health inspection services is adequate for the amount of work provided by the Health Inspector. Health Officer Fedorko replied that it is sufficient.

Councilman Fusco thanked the Board of Health for all the services provided to the Borough of Leonia.

### **Building Department**

Mayor Zeigler congratulated the Building Department and its staff for their stellar performance and the tremendous amount of work they complete daily.

Construction Official Mark Moeller thanked the building department staff for their phenomenal performance and explained the various changes and goals of the building department, in particular a strong focus on the new state mandate for lead inspections.

Construction Official Moeller also spoke as to the various challenges faced by the Building Department in terms of the new lead inspection mandate, in particular the creation of a process in place, of which the state provided no guidance.

A list of properties in flood zones was created, estimating their value should another flooding tragedy occur. The 88 list of properties and the estimated value is available for the public to view within the Building Department. Various other developments within the Department were discussed.

Mayor Zeigler mentioned that the Mayor and Council have discussed potential changes to the regulations surrounding the removal and trimming of trees, and the need for more aggressive enforcement.

Councilman Fusco stated that he wished to ensure that the Building Department is adequately staffed for the amount of work that must be performed, to which the Construction Official replied that currently, they are.

Councilman Ziegler voiced that enforcement is a continuing area of concern and that continued discussion will be held on the topic. Councilman Ziegler inquired as to the amount appropriated for 2023 for salaries, as most were empty. Borough Administrator Wardrop explained that salaries for the Building Department were consolidated into one line item. Mayor Zeigler asked that there be care when consolidating multiple accounts, as transparency to the public is paramount.

Construction Official Moeller stated that due to an excess of funds due to intake, it covers the salary requirements of the department.

Councilman Ziegler asked that a breakdown of revenues for the various departments be provided to the Mayor and Council.

Councilman Hesterbrink, Councilman Grandelis, and Councilwoman Davis had no further questions for Construction Official Moeller.

**Clerk**

Borough Clerk Trina Lindsey thanked the Mayor and Council for the opportunity to serve as the Borough Clerk for the Borough of Leonia. Borough Clerk Lindsey provided various goals and achievements of the Borough Clerk's Office throughout 2022.

Mayor Zeigler thanked all employees of the Clerk's Office for their leadership and hard work.

Councilman Ziegler, Councilman Hesterbrink, Councilman Grandelis, Councilwoman Davis, and Councilman Fusco had no further questions.

Mayor Zeigler asked why the budget for special events was lowered from prior years, to which Borough Administrator Wardrop explained that it was cut to align it with years prior.

Borough Administrator Wardrop thanked Borough Clerk Trina Lindsey for mentoring Deputy Clerk Jonathan Mandel and for all the work performed by all members of the Clerk's Office.

CFO Keng explained that with the Recodification project, various other lines were increased to accommodate it.

**Environmental Commission**

As Former Chair of the Environmental Commission, Councilman Hesterbrink explained that the total budget requested has been lowered to \$5,000 from \$20,000 due to the completion of the invasion species remediation project at Highwood Hills. The requested funding for 2023 will be used for the continued support of the remediation efforts after the completion of the project.

Councilman Grandelis, Councilwoman Davis, Councilman Fusco, and Councilman Ziegler had no further questions.

**Finance**

Mayor Zeigler asked that CFO Keng present his department's budget earlier than scheduled.

CFO Keng explained the various changes to the budget for the Finance Department compared to the prior year. In the future, various costs will be lowered for QPA services and payroll services.

Mayor Zeigler put a hold on the discussion of Finance to allow the Police Department to present their budget, returning after the Police Department completed their presentation.

CFO Keng explained that due to impending increases in health benefits, he calculated based on each employee's plans the projected cost to the Borough of Leonia, totaling \$920,000.

On a question from Councilman Hesterbrink, CFO Keng explained that only 55 employees within the Borough of Leonia are currently using the benefits offered by the Borough of Leonia. CFO Keng also explained the impact different plans had on the cost to the Borough of Leonia. Borough Administrator Wardrop explained that the increase in health benefit costs is both an increase for the employee and the employer, who must pay for certain premiums.

CFO Keng explained that the Borough of Leonia is currently looking into alternatives to those offered by the State. Mayor Zeigler stated that the issue with alternatives is that they must be either equivalent or better than what is currently being offered to employees. The Borough of Leonia's Risk Managers are currently assisting with the search for alternatives. It is expected that this will be an item of discussion for the Mayor and Council after the budget is completed.

Councilwoman Davis asked that once the research is completed that the Borough Administrator and CFO ask surrounding municipalities their experiences with the alternatives to ensure that the benefits being provided are equal or better. Borough Administrator Wardrop responded that various municipalities have had very good experiences with their found alternative health insurance funds.

Councilman Fusco had no further questions.

### **Police**

Police Chief Scott Tamagny highlighted the various achievements of the Police Department for 2022, in particular their achievement of accreditation.

Councilman Grandelis questioned items that were consolidated within the Police Department's budget. Police Chief Tamagny explained that any items within the requested budget that have \$0.00 requested have been consolidated with other accounts.

Councilwoman Davis thanked Chief Tamagny, Captain Garris, and Karlie Seminerio for their efforts in achieving accreditation.

Councilman Fusco asked the Police Chief for more detail as to the attached personnel request. Chief Tamagny explained that the request is not for a new employee but an increase in salary still pending approval.

Councilman Ziegler and Councilman Hesterbrink had no questions.

Mayor Zeigler asked as to the reasoning behind the increase in contractual services. Police Chief Tamagny explained that the account was consolidated with the police software maintenance account.

Mayor Zeigler brought up the potential of using volunteer auxiliary police officers and staff to augment the police force to ensure better use of time for the Police Department's officers and staff.

Mayor Zeigler thanked the Police Department for their efforts in ensuring the successful implementation of changes to alternate side parking.

CFO Keng thanked the Police Chief for his participation and efforts to ensure the success of the budget creation.

Councilman Fusco inquired if the Police Department ever needs to go outside of the Borough Mechanic for vehicle services. Police Chief Tamagny explained that except for very specific circumstances, most vehicle maintenance is performed by the Borough Mechanic, which is why he feels comfortable moving the account entirely over to the DPW.

Borough Administrator Wardrop took a moment to state her gratitude to Chief Tamagny for his assistance with a myriad of projects throughout the year.

Councilman Ziegler asked for a percentage increase in all operating budgets. CFO Keng stated that as it stands the percent increase in budget is 8%. CFO Keng stated that an excess cap bank is available if needed and explained its purpose.

Councilman Ziegler questioned the decreased request for software support, to which CFO Keng explained that he confirmed with Edmunds the cost for their software and that the high costs of the prior year were due to the transition in financial software.

Councilman Hesterbrink noticed that the 2022 actual cost included county and school taxes and asked about their inclusion. CFO Keng explained that while county taxes are not budgeted, they are paid in the actuals which are set by the county. ‘

Councilman Grandelis asked as to a note that stated that for Qualified Purchasing Agent services that there will be a decrease in cost. CFO Keng explained that currently, the Borough of Leonia is still paying the current QPA but that another employee is taking courses and will soon be appointed in their place. Borough Administrator Wardrop stated that the proposed successor is still taking courses and must take an exam so there will not be a projected transition to occur immediately.

Mayor Zeigler asked if the Finance Office is adequately staffed and supplied to continue successful operations. CFO Keng stated that currently there have not been any issues but it still will take some time to deduce an answer to the question.

Mayor Zeigler thanked CFO Keng for his contributions to the Borough of Leonia and his stellar work. CFO Keng in turn thanked all the staff he works with daily which allows for this success.

### **Administration**

The Administration Department followed the Finance Department in presenting their budget.

Borough Administrator Andrea Wardrop gave an update on the various projects that her department works on, such as the new municipal building and the rollout of the employee performance evaluation software NEOGOV.

Councilman Fusco inquired as to the Wood Terrace & Lakeview Avenue Drainage Project and wished to know if Borough Engineer Drew Di Sessa has reached out to the army corps for assistance with their flood mitigation programs. Borough Administrator Wardrop responded that Englewood has been in contact with the army corps, but it is not a quick solution and there is no guarantee that a proposal will be approved.

Borough Administrator Wardrop continued her discussion over various goals and projects she wished to see completed in 2023, including a complete employee job description overhaul.

CFO Keng stated that the DPW Blue Collar contract was a great success, with the Borough achieving the acquisition of a good 5-year contract. CFO Keng's recommendation is to begin negotiations with the Police Benevolent Association as soon as possible.

Borough Administrator Wardrop explained that the percentage increases in salaries and wages are due inclusion of another \$40,000 for retirements and settlements. CFO Keng explained that liabilities of 2022 are coming due in 2023, with the \$40,000 being a conservative estimate.

Consultant and professional fees are being decreased to bring it aligned to an amount that it should be, as in 2022 it was over appropriated.

The Stigma Free Committee has some plans for which they are requesting an amount of \$5,000.

Further detail was given as to various other line items and the reasoning behind their asked appropriations.

Councilman Fusco had no questions as to the Administration Budget.

Councilman Ziegler inquired as to the economic development line item. Borough Administrator Wardrop stated that since the departure of Karp Strategies, the Borough of Leonia has left that out on the table and so far, has been unsuccessful in securing a bidder on the professional services RFP. Mayor Zeigler asked if H2M as Borough Planners would be able to provide those services. Borough Administrator Wardrop said H2M could take on those responsibilities but did not include it as part of their proposal. Councilman Fusco stated that H2M would need to undertake these responsibilities as part of their redevelopment responsibilities with the Planning Board.

Councilman Ziegler inquired as to architectural costs, to which it was answered by the Chief Financial Officer that they were put into capital. Anything else would be considered soft costs.

Councilman Hesterbrink, Councilman Grandelis, and Councilwoman Davis had no further questions.

Mayor Zeigler asked Borough Administrator Wardrop what are the areas in which her office could use assistance. Borough Administrator Wardrop stated that the areas she feels in which assistance could be needed are for projects and human resources. As there is no professional human resources person in the Borough of Leonia, the Borough Administrator relies heavily on the Labor Attorney.

Councilman Fusco asked the Borough Administrator to lean more into CBRE, the project manager for the municipal building project, to improve their performance. As it is a large time-consuming investment for the Borough Administrator to micromanage the project, this time spent could be better spent elsewhere.

## **Recreation**

Program Director Destiney Sampson presented the goals and objectives of the Recreation Department as well as its budget. One such budget item that was highlighted by the Program Director was the expansion of Senior Citizen programs. Due to this increase in programming, it was found necessary to increase the number of hours worked by Senior Coordinator Margaret Browne.

Salaries within the Recreation Department saw an increase due to a \$5,000 raise for the Recreation Director as well as a 2% increase for other employees.

The utility line item was set to \$0 as utilities are not paid all under the same account for the Borough of Leonia.

CFO Keng noted that the other notable item relating to employee salaries is the Senior Bus driver becoming a full-time position which increased the salary requirements from its prior part-time status.

Mayor Zeigler wished to remind the Governing Body that the Recreation Commission also encapsulates the swim club, whose budget is separately designated.

Mayor Zeigler congratulated the work done by the staff of the Recreation Department, especially Program Director Sampson who has done a phenomenal job since joining the Borough of Leonia.

Councilman Ziegler asked for the participation rates for the Senior activities, asking if there is a calculated amount to be compared to those of the year prior. Program Director Sampson replied that participation rates have increased by a rate of at least 70-80%.

Councilman Ziegler wished to ensure that the program revenue continues to cover the new programs that are being offered, and if they are subsidized to what extent. Mayor Zeigler interjected that from his recollection there is a policy in place within the Recreation Commission that programs fund themselves. Program Director Sampson stated that the recreation activity budget is around \$168,000 which is where most of the programs receive funding from.

Councilman Ziegler noted that the Senior Bus repairs are one such item that was not consolidated into the DPW Budget. Borough Administrator Wardrop made the point that some repairs necessary to the bus cannot be performed by the Borough Mechanic.

Councilman Hesterbrink asked for an explanation as to the citizen coordinator item, as the notes mentioned the Senior Bus Driver's Salary. It was explained that the budget item encompasses both.

Councilman Grandelis and Councilwoman Davis had no further questions.

Councilman Fusco wished to know which plans were made to allocate for potential future improvements to the Senior Center. It was explained that funding for those projects would be part of the Capital Budget.

Mayor Zeigler encouraged the Recreation Department to continue to grow its relationship with the library to ensure that the programs offered by both departments complement one another.

### **Fire Department**

Fire Chief Thomas Caruolo gave the 2022 highlights for the Fire Department. One item, in particular, he made note of was the success of the stipend increase for growth in member participation.

Fire Chief Caruolo noted that certain items were not included as part of the budget, with total appropriations requested to eventually change.

Councilman Grandelis noted that these discussions were held during the Fire Committee, with work to be performed to figure out how to correct any issues.

The Fire Department will be having its 125<sup>th</sup> anniversary, so the Leonia Fire Department is planning an event to celebrate in Wood Park. This has been discussed with the Recreation Director, with a car show planned to be held on Grand Avenue.

Councilman Hesterbrink, Councilman Grandelis, and Councilwoman Davis had no further questions.

Councilman Ziegler asked that in the proposal for the anniversary event the revenue that is collected and the ask be provided so that visibility is provided on its financials.

Councilman Ziegler asked if the air cards line item was finally removed or if it has been consolidated into another line, to which it was answered that it was consolidated with another line.

Borough Administrator Wardrop wished to say that some great strides have been made towards the Fire Department being able to input their requisitions for purchase orders.

Councilman Ziegler asked when the insurance certification is scheduled to occur for the Fire Department to gain its ISO Rating. Fire Chief Caruolo stated that the Fire Department has been working with the officials to review and remediate any issues with vehicles or equipment. Deputy Chief/Chief-elect John Dunn stated that this will be a major focus for 2023. The Leonia Fire Department currently has an ISO Rating of 4, with the goal being to eventually bring the rating down to a 3.

Councilwoman Davis questioned if the Joint Insurance Fund (JIF) is to be working with the Fire Department throughout this process, to which the Borough Administrator confirmed.

### **Office of Emergency Management**

Office of Emergency Management (OEM) Coordinator Robert Chace noted that the largest item for 2023 is training and other requirements to be compliant with new state regulations.

Chief Tamagny is to eventually be replaced as a Deputy Coordinator, thus the search has begun for a replacement.

Mayor Zeigler asked if with the new directives if any additional costs were calculated and added to the requested budget. OEM Coordinator Chace answered that these costs were calculated into the request.

Councilman Grandelis offered the idea of potentially looking into any grants that could help to offset any new costs from the directives. Mayor Zeigler stated that Representative Josh Gottheimer has shown great interest in helping the Borough of Leonia acquire new grants and thus would be a great resource.

Councilwoman Davis, Fusco, and Ziegler had no further questions.

Councilman Hesterbrink inquired into the training costs, to which it was answered by the Mayor that the training is for three individuals.

### **Shade Tree Commission**

Co-Chair Imanta Bergmanis presented the Shade Tree Commission's budget to the Mayor and Council.

### **Municipal Court**

Court Administrator Cherron Gil provided information to the Mayor and Council to review and ask any questions relating to the goals and accomplishments of the Municipal Courts.

Mayor Zeigler asked if in-person court sessions are set to return, to which the Court Administrator replied that they may return but will not see as much traffic as before the pandemic.

Councilman Ziegler noted that the Court Administrator said that the Municipal Court is seeing levels of traffic compared to before the Covid-19 Pandemic. The Court Administrator stated that the Municipal Court has been able to keep up with this increasing demand for services and has helped to clear up any backlog of cases.

Councilman Ziegler wished to understand where the largest increases in the Municipal Court's budget came from. Court Administrator Gil stated that one of the largest increases was seen in the use of interpreters for cases, so they have been used more on an as-needed basis to scale down costs.

Court Administrator Gil confirmed that there was enough funding to cover the training costs required.

Information is given on a day-to-day basis on updates for rules and regulations, ensuring that training for Municipal Court employees is up to date.

Councilman Hesterbrink and Councilwoman Davis had no questions.

Councilman Grandelis had a question answered by the CFO, explaining the consolidation of Public Defender into the Municipal Court salaries and wages line item. Court Administrator Gil explained that there is a dedicated public defender account and that anyone who uses their services must pay a fee unless their financial situation is such that they are exempt.

In terms of the transition to the new municipal building, Councilman Fusco wanted to know if there was a need for more staffing. Court Administrator Gil replied that at this point there is no need but if the number of cases increases exponentially that may be something to be reassessed.

Once the Municipal Court moves into the new municipal building, it will eliminate the cost associated with renting other municipal court buildings.

### **Fire Prevention**

Fire Marshall Dave Haenelt began the discussion by stating that the one highlight of the Fire Preventions goals and objectives was the successful completion of the updated Fire



Prevention ordinance. This has assisted with the collection of fees and revenue for the department, with the intake being already higher than the year prior.

Fire Marshall Dave Haenelt would like to fill the Deputy Fire Marshall position to create a proper chain of command and allow for assistance with inspectors.

The demand for the services of Fire Prevention has seen a substantial increase over the years. With this comes an increase in inspections, creating the need for an increase in hours to handle more at a time. The increase in costs due to salary will be offset by the increased fees set by the fire prevention ordinance.

The Fire Marshall responded to a question from the mayor stating that he does not believe there will be an increase in revenue based on an increase in hours alone.

Councilman Hesterbrink asked if there was any data to substantiate the claim that there was an increase in inspections that would validate the need for more hours. Fire Marshal Haenelt said that there was an increase of 10% from last year and 30% from the prior 10 years.

CFO Keng explained that the increase in salaries and wages was a result of the proposed increased hours.

Councilwoman Davis and Councilman Fusco had no further questions.

Councilman Ziegler inquired as to what percentage of the life hazard inspection fees the state keeps. Fire Marshall Haenelt replied that the state takes 35% for registering and building. Non-life hazard fees are mainly collected from local fees.

Mayor Zeigler and Borough Administrator Wardrop lauded the merits of Fire Prevention and the knowledge and ability of Fire Marshall Haenelt and Fire Inspector Robert Chace.

CFO Keng held the opinion that the Fire Prevention budget was very reasonable.

## **Library**

Library Director Elysse Fink highlighted the large increase in public participation and interest in the library, which can be accredited to the efforts of the staff to bring the public back in after the Covid-19 pandemic.

The biggest increase for 2023 comes from salaries and wages, and as a result, the Leonia Library has been working to lower operating costs to offset this increase.

Mayor Zeigler thanked the staff of the library for their leadership and efforts to put the public first throughout the pandemic.

Councilman Grandelis, Councilwoman Davis, Councilman Fusco, Councilman Hesterbrink, and Councilman Ziegler all expressed their appreciation for the library and its staff.

Mayor Zeigler asked if there were any opportunities for the Leonia Library to collect some funds from tutors who use the facility. Director Elysse Fink stated that recently there have not been many tutors seen and instead students tend to assist one another.

Councilman Fusco asked Director Fink how well have the recent repairs to the roofing and AC system been holding up. Director Fink replied that they have been holding up incredibly well.

Borough Administrator Wardrop spoke about the quarterly transfers and encouraged the Mayor and Council to review the documentation provided to them.

CFO Keng stated that the request will be paid over four quarters to assist with staying within the 2% and ensure financial accountability.

### **Next Steps**

Borough Administrator Wardrop and Chief Financial Officer Keng will convene and discuss any notes that were taken during the meeting. The Budget numbers will be updated and a Finance Committee meeting will be scheduled.

The next process to begin is the Capital Budget process, which is projected to begin in early January.

Statutory deadlines have been extended by a month by the Division of Local Government Services, so at the next Finance Committee meeting a calendar can be created.

Mayor Zeigler expressed a desire to discuss the 8% increase at the next Mayor and Council Work Session, with guidance provided to the Finance Committee as to a goal to lower it.

CFO Keng recommended that once a goal is determined that a meeting be held to have all the Department Heads come to the Mayor and Council to discuss their budgets.

Councilman Hesterbrink asked the CFO for any more advice he could provide for lessening the budget. CFO Keng stated that it is a difficult process because certain departments like the DPW saw a large increase, but cutting back from them could mean a drastic lessening of services that could be provided.

### **Adjournment:**

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Davis, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 12:29 p.m.

Respectfully submitted,

Jonathan Mandel,  
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## BOROUGH OF LEONIA

COUNCIL- Work Session  
~ Minutes ~

Trina Lindsey, Borough Clerk

312 Broad Avenue  
Leonias, NJ 07605  
<http://www.leonianj.gov/>

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**December 19, 2022**

**7:30 pm**

**Leonias Senior Center**

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A Regular Meeting of the Mayor and Council of the Borough of Leonias was held in person at the Leonias Senior Center at 305 Beechwood Place, Leonias, NJ, and virtually via GoToMeeting on December 19, 2022. The meeting was called to order at 7:30 pm by Mayor Zeigler.

Those present were led in the Flag Salute by Councilman Fusco.

Mayor Zeigler read the following statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Reorganization Meeting, are posted on the public bulletin board in Borough Hall and on the Borough website, published in the Record within the first 10 days of the New Year, and copies are sent to the Star-Ledger. Notice of this meeting was published in the January 11<sup>th</sup> edition of the Record, sent to the Star-Ledger, and posted on the public bulletin board in Borough Hall and on the Borough website."

**PRESENT:** Mayor Judah Zeigler, Councilwoman Maureen Davis, Councilman Pasquale Fusco, Councilman Louis Grandelis, Councilman Christoph Hesterbrink, Councilwoman Joanne Terrell, and Councilman William Ziegler

**ABSENT:** None

**ALSO PRESENT:** Borough Attorney Brian Chewcaskie  
Borough Administrator Andrea Wardrop  
Borough Engineer Drew Di Sessa  
Borough Clerk Trina Lindsey

### ***Public Comment***

The record will reflect that no such comments were entered into the chat window accessible through GoToMeeting nor via the United States Postal Service or Email.

***Approval of Minutes***

Motion by Councilman Fusco, second by Councilwoman Davis, Councilman Hesterbrink abstaining, and all members present voting in favor, that the Minutes of July 6, 2022 Regular Meeting were approved.

Motion by Councilman Fusco, second by Councilwoman Terrell, Councilman Hesterbrink abstaining, and all members present voting in favor, that the Minutes of July 18, 2022 Work Session Meeting were approved.

Motion by Councilman Grandelis, second by Councilwoman Terrell, Councilman Hesterbrink abstaining, and all members present voting in favor, that the Minutes of October 3, 2022 Regular Meeting were approved.

Motion by Councilman Grandelis, second by Councilwoman Terrell, Councilwoman Davis, and Councilman Hesterbrink abstaining, and all members present voting in favor, that the Minutes of October 17, 2022 Work Session Meeting were approved.

Motion by Councilman Ziegler, second by Councilwoman Terrell, and all members present voting in favor, that the Minutes of November 9, 2022 Regular Meeting were approved.

Motion by Councilwoman Terrell, second by Councilman Fusco, Councilman Ziegler abstaining, and all members present voting in favor, that the Minutes of November 21, 2022 Work Session Meeting were approved.

Motion by Councilwoman Davis, second by Councilman Ziegler, and all members present voting in favor, that the Minutes of December 5, 2022 Regular Meeting were approved.

***Adoption of Ordinances*****Ordinance 2022-20**

The Borough Clerk read the title of the ordinance into the record:

“An Ordinance adding chapter 96 ‘Business Insurance Registration’ to the code of the Borough of Leonia”

Borough Attorney Chewcaskie explained that this ordinance was necessary to establish a system for business insurance registration, a requirement imposed by the state. This ordinance sets fees forward for registration.

Let the record show that no members of the public came forward either virtually or in person during the public hearing of Ordinance 2022-20.

Councilman Grandelis motioned that ordinance 2022-20 be adopted on second reading. Seconded by Councilwoman Terrell.

On a roll call, the vote was recorded as follows:

Councilwoman Davis: aye  
Councilwoman Fusco: aye  
Councilman Grandelis: aye

Councilman Hesterbrink: aye  
Councilwoman Terrell: aye  
Councilman Ziegler: aye

### ***Consent Resolutions***

#### **RES. 2022-271 Authorize Bill List**

[2022-272 Authorize Bill List.pdf](#)  
[Bill List Backup.pdf](#)

#### **RES. 2022-272 Change Orders #16 & #17 – New Municipal Building Construction Project**

[2022-272 Authorize Change Orders 16 & 17.pdf](#)  
[Change Order #16.pdf](#)  
[Change Order #17.pdf](#)

#### **RES. 2022-273 Change Order for Sally Port Structural Design Services – Arcari & Iovino**

[2022-273 Additional Architectural Fees – Arcari & Iovino – Sally Port.pdf](#)  
[Arcari & Iovino \\$2750 request for add fees.pdf](#)

#### **RES. 2022-274 Authorize Contract with Granicus Inc. for Peak Agenda & GovAccess 2022/2023**

[2022-274 Authorize Contract with Granicus, Inc.pdf](#)  
[NJ Leonia Website Vision NJ.pdf](#)  
[NJ Leonia NJ Q-227418-2022SEP26.pdf](#)

#### **RES. 2022-275 Authorize Accuscan Proposal(s) for Records Management**

[2022-275 Authorize Accuscan Proposal\(s\).pdf](#)  
[Leonia Borough Construction Permit and Zoning Scanning.pdf](#)  
[SORTING – PROPOSAL.pdf](#)

#### **~~RES. 2022-276 Leonia Senior Center – Lower Level Improvements~~**

~~[2022-276 Lower Level Senior Center Improvements](#)  
[Lower Level Senior Center Flooring & Walls Quotes.pdf](#)  
[Lower Level Renovation Three Quotes.pdf](#)~~

#### **RES. 2022-277 Authorize Disabled Person Parking Space**

[2022-277 Authorize Disabled Person Parking Space.pdf](#)

#### **RES. 2022-278 Authorize Disabled Person Parking Space**

[2022-278 Authorize Disabled Person Parking Space.pdf](#)

#### **RES. 2022-279 Authorize Disabled Person Parking Space**

[2022-279 Authorize Disabled Person Parking Space.pdf](#)

#### **RES. 2022-280 Authorize Disabled Person Parking Space**

[2022-280 Authorize Disabled Person Parking Space.pdf](#)

#### **RES. 2022-281 Authorize Termination of Professional Services – C2 Operator**

[2022-281 Authorize Termination of Professional Services – C2 Operator.pdf](#)

**RES. 2022-282 Crossing Guard Union Agreement**[2022-282 Crossing Guard Union Agreement.pdf](#)[Crossing Guard Union Agreement.pdf](#)**RES. 2022-283 Authorize 2022 Appropriation Transfers**[2022-283 Authorize 2022 Appropriation Transfers.pdf](#)

Motion by Councilwoman Davis, second by Councilman Fusco, that the Consent Agenda

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilwoman Davis:	aye	Councilman Hesterbrink:	aye
Councilwoman Fusco:	aye	Councilwoman Terrell:	aye
Councilman Grandelis:	aye	Councilman Ziegler:	aye

**RES. 2022-276 Leonia Senior Center – Lower Level Improvements**[2022-276 Lower Level Senior Center Improvements](#)[Lower Level Senior Center Flooring & Walls Quotes.pdf](#)[Lower Level Renovation Three Quotes.pdf](#)

Councilman Ziegler pulled RES. 2022-276. There was a discussion within the Historic Preservation Commission where Councilman Ziegler made note that the work for waterproofing the lower level of the Senior Center was completed successfully. Councilman Ziegler wished to confirm with Borough Engineer Drew Di Sessa that this statement was true.

Borough Engineer Drew Di Sessa confirmed that the work was completed and the waterproofing was done successfully.

Councilman Ziegler inquired as to the three provided quotes, asking if there was one in particular that was being approved and if the others were for comparison.

Borough Administrator Wardrop explained that the proposal from T.J. Metzdorf in the amount of \$25,250.00 is being recommended for acceptance as reflected in RES. 2022-276.

Motion by Councilman Ziegler, second by Councilman Fusco, that RES. 2022-276 be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilwoman Davis:	aye	Councilman Hesterbrink:	aye
Councilwoman Fusco:	aye	Councilwoman Terrell:	aye
Councilman Grandelis:	aye	Councilman Ziegler:	aye

***Unfinished Business***

**Area in Need of Redevelopment (AINR) Resolution Discussion – Brian Chewcaskie / Pasquale Fusco**

Borough Attorney Chewcaskie explained the current state of this topic of discussion, stating that the Planning Board adopted the resolution and held an open hearing. The Planning Board recommends that the area as delineated in the study be designated as an area in need of redevelopment. The next step following the Planning Board's recommendation is for the Governing Body to take action by resolution. At this point, the Governing Body may confirm what the Planning Board has done and recommended in declaring the area in need of redevelopment or adopt a resolution stating that the area is not found an area in need of redevelopment. A third option is to modify the scope and extend the redevelopment area as outlined in the resolution.

Mayor Zeigler asked for clarification on the steps of the process and wished to know if what will be approved next year will be a resolution simply declaring an area in need of redevelopment. Borough Attorney Chewcaskie stated that the draft resolution prepared designates the area as an area in need of redevelopment and authorizes the Planning Board to prepare the redevelopment plan.

Mayor Zeigler asked for confirmation that what the Governing Body would be approving through this resolution is an area in need of redevelopment and not a redevelopment plan. Borough Attorney Chewcaskie confirmed this fact and spoke more as to the process. Public participation is expected at the Planning Board meetings and when the plan is approved through an ordinance. The draft resolution being proposed at this stage is simply to affirm the Planning Boards' recommendation that the area is designated as an area in need of redevelopment as well as give direction to the Planning Board to prepare a redevelopment plan for consideration by the Governing Body.

Councilman Ziegler questioned the scope of the proposed area, asking if some of those areas were already improved upon by resolution and had a created plan. Borough Attorney Chewcaskie stated that there have been areas in the past that have been designated as an area in need of redevelopment but never arose to having a plan. Councilman Fusco stated that he believes that the resolution was created to include those parcels of land in the designation of an area in need of redevelopment.

Councilman Ziegler mentioned the action by NJ Transit in appropriating a substantial amount of money for transit-oriented development planning around a light rail. Councilman Ziegler wished to be assured that whatever the Mayor and Council decide to do that there will be significant coordination and leverage held to appropriate as much of this funding as possible. Councilman Ziegler queried for more information as to how this process works. Councilman Fusco responded by stating that Borough Planners H2M will be involved in the creation of a study and creation of a proposal for the Borough of Leonia to better understand what funding is obtainable. Mayor Zeigler confirmed with Councilman Fusco that H2M will be working on the behalf of the Borough of Leonia for this purpose with NJ Transit.

Councilman Ziegler asked Mayor Zeigler if he is part of any forums where he worked tangentially or directly with any members of NJ Transit. Mayor Zeigler stated that there are currently no official forums for ensuring that local elected officials or the public can give their input. The county has expressed a strong desire in the past to put a parking structure on the south side of Overpeck Park. The County has in the past not been transparent with the public over plans for the park so we must ensure they do not create a parking deck that is left to the municipalities to take care of.

Councilman Ziegler wished to know if there was an opportunity for the Governing Body to provide some perspective and preferences to the Planning Board as to what they are looking

for in the redevelopment plan. For example, the Borough of Leonia has learned the hard way that any development that invites extra school children into the education system increases costs exponentially. Councilman Ziegler stated that certain considerations and thoughts as to how to offset these developments are examples of what he believes the Governing Body should request in the redevelopment plan if possible. This would help to ensure that the final plan provided for approval is favorable.

Mayor Zeigler responded that he would defer to the Borough Attorney for an answer but as the Planning Board is an anonymous body, he believes the intent is to let them do their work and have the Mayor and Council review it after. The Mayor and Council are well aware of the zoning laws of the municipality and are abiding by them. Borough Attorney Chewcaskie stated that it is a possible action that the Mayor and Council can take but the resolution intends to charge the Planning Board to create a plan and make recommendations, as they have an intent knowledge of the area in question. The Planning Board itself would be well aware of the desires of the community on its own. Councilman Fusco added that there is a built-in component of resiliency in these plans for green energy and green spaces that are incorporated.

Councilman Hesterbrink stated that as the area in question is a flood area, whatever is built there needs to have a certain resiliency to last through the years. Councilman Hesterbrink believes that some guiding principles can be helpful as he expressed concern over developers putting in traditional developments that won't survive in this area. Councilman Hesterbrink expressed concerns over potential lobbying within the Planning Board for development. Mayor Zeigler called Councilman Hesterbrink to order and stated that as a member of the Planning Board, he is completely unaware of any lobbying efforts. Mayor Zeigler also asked Councilman Fusco, as a Class II Member of the Planning Board, if he was aware of any lobbying to which Councilman Fusco responded that he had not. Mayor Zeigler advised members of the Governing Body to stay clear of any strident rhetoric of this kind.

Councilman Hesterbrink stated that his concern arises from the potential of being provided with a Redevelopment Plan that is not in the best interest of the Borough of Leonia, thus agreeing that some guidelines should be provided to the Planning Board. Mayor Zeigler asked that Councilman Hesterbrink explain further as to whether he had any evidence as to lobbying. Councilman Hesterbrink explained that he was not stating that the Planning Board is involved in any lobbying activities but rather that the Mayor and Council should be aware of the potentiality of developers trying to sway things in their favor. What must be done should be in the best interest of the community, which may not be necessarily what is best for the developers. Councilman Hesterbrink stated further that he is not claiming that any member of the Planning Board is being lobbied but that his concern is more generalized to ensuring the communities best interest is kept in mind.

Mayor Zeigler stated that the resolution would best be discussed at the January 2023 Work Session as it would not be fair to the public to have it be part of the Reorganization Meeting. Mayor Zeigler asked that further thoughts or directions be given to the Planning Board at the January 2023 Work Session and incorporated into the resolution.

Councilman Ziegler stated he would be in favor of putting together some thoughts to be further discussed at the January 2023 Work Session. Mayor Zeigler agreed and encouraged other members of the Governing Body to also do the same.

Councilwoman Terrell asked Borough Attorney Chewcaskie if in other municipalities there are materials that can be leveraged as a starting point for giving directions and ideas to the



Planning Board. Borough Attorney Chewcaskie stated that he does not believe so as every area is unique. The Mayor and Council can certainly provide guidance but it will most certainly be unique to the area itself.

Councilwoman Davis stated her willingness to follow through with the regular process, having confidence in the Planning Board's ability to prepare a worthwhile plan. It is her opinion that the best process might be to have the Planning Board present its plan to the Mayor and Council, so that there may be further discussion and increased transparency to the public. Nothing in the recommendations should be cause for alarm as the Governing Body will approve what is appropriate and anything else will be sent back. Councilwoman Davis looks forward to a creative version of the plan without a large amount of guidance from the Mayor and Council.

Mayor Zeigler responded that there is not one right answer but probably the pure letter of the process is to respect the very clear statutory requirements that mandate an autonomous Planning Board. However, the ultimate responsibility lies with the Governing Body and it would be a shame for the Planning Board to do any work with the potential for it to be not what is desired. On the other hand, giving guidance could be presupposing what is desired by the public and creates a potentiality for criticism. Mayor Zeigler said that there are benefits to both approaches and believes that the process currently being set in place can be used, where the guidelines are provided during an executive session at the January Work Session.

#### **Tax Increase Relating to Budget – Mayor Zeigler**

Mayor Zeigler stated that if the Mayor and Council were to accept all the requests of the various departments, there would be a substantial increase in the budget. It is the charge of the Finance and Human Resources Committee to reduce the budget, but the mayor found it pertinent to discuss theoretically what amount of an increase would be comfortable for the Governing Body.

Councilman Grandelis noted that a meeting was held by the Finance and HR Committee, where before creating a goal there was a projected 8-9% increase as it stands. The goal that is being strived for is a 4-5% increase.

Councilman Ziegler agreed with the statement made by Councilman Grandelis and mentioned that over the past few budget cycles that the 2% cap has not been broken. It is a testament to the hard work of the Governing Body for getting the most value out of each dollar. Due to state-mandated insurance and pension increases, this will not be a luxury afforded this upcoming year. Councilman Ziegler stated that to achieve the goal of 4-5% there will need to be substantial sacrifices made and that it is not likely that a lower percentage can be achieved.

Mayor Zeigler is aligned with the goal of 4-5% and reiterated the fact that a great deal of sacrifice must be made as the Borough of Leonia already keeps its budget lean. Mayor Zeigler asked Councilwoman Terrell if she had any comments as to the discussion.

Councilwoman Terrell stated that she is waiting on more information at this point.

Councilwoman Davis wished to make two points concerning the budget. First, for reasons of transparency to the public wished to state that the operating budget is what is being discussed and that what will be driving tax increases is not based on decisions made by the

Borough of Leonia but an unfunded mandate from the state increasing health insurance and pension costs. Secondly, as the Mayor and Council look at the budget the hope is that the decreases that are made to the operating budget limit the impact on the services the public receives the most.

Mayor Zeigler agrees that the desire is to make the changes that have the least amount of impact, but to the point of Councilman Ziegler, there may be a potential impact on services. The Mayor and Council will be transparent to the public as to any potential impacts.

Councilman Fusco made a point that the Borough of Leonia is not immune to the inflationary costs of the present and that currently, we are dealing with an unprecedented inflationary period which should be taken into consideration.

Mayor Zeigler confirmed that there were no disagreements with the 4-5% goal and asked that the Finance and HR Committee continue discussions using this target.

### **Plans for Broad Avenue Section 11 – Bill Ziegler**

Councilman Ziegler wished to ask Borough Engineer Drew Di Sessa when the Shade Tree would be able to see the plans for Crescent Ave to Hillside Ave with the suggestions made during the walk along Broad Avenue. Borough Engineer Di Sessa stated that the plans are available now for review and that it has gone out to bid with the changes incorporated. This project is referred to as Section 11.

Councilman Ziegler asked that the plans be sent to the Mayor and Council, Shade Tree Commission, and the Mayor's Advisory Committee on Pedestrian Safety.

### **Broad Avenue Section 10 – Bill Ziegler**

Councilman Ziegler noted that the Shade Tree Commission was involved in the planning of this project and asked if the Mayor's Advisory Committee on Pedestrian Safety has been involved as well.

Borough Administrator Wardrop responded that Chair Alec Melman is advised of when plans are drawn up and that she will send an email to him so that he is clear on the plans for the Broad Avenue Section 10 project.

### ***New Business***

#### **New Jersey Transit Power Plant in the Meadowlands – Christoph Hesterbrink**

Councilman Hesterbrink explained that in 2020 the Mayor and Council of the Borough of Leonia passed a resolution against the building of a Gas-Fired Power Plant in the Meadowlands. The Governor of New Jersey asked for a much more sustainable energy source after visiting the site himself. Councilman Hesterbrink also noted that the bidding process has begun and that the members of the Governing Body should have most likely already received notice of the same. Councilman Hesterbrink asked that the Governing Body reaffirm this stance and give permission for him to write a resolution stating the same.

Mayor Zeigler asked that if there is any objection that the resolution is added to the January Work Session as a non-consent resolution to be further discussed before adoption, to which there was none.

### **Mayor and Council Proposed 2023 Meeting Dates – Mayor Zeigler**

Mayor Zeigler made note that as the Reorganization Meeting is coming up soon that discussion of meeting dates is necessary. Mayor Zeigler asked the Mayor and Council to review the proposed meeting dates and offer any suggestions or changes.

Councilwoman Davis asked that a note be sent to the various Boards and Commissions that they keep into consideration that if they wish for their liaisons to attend their meetings that they take these Mayor and Council Meeting Dates into consideration.

After further discussion these changes in the proposed meeting dates were made:

June 5, 2023 to Jun 7, 2023

July 3, 2023 to July 5, 2023

November 6, 2023 to November 8, 2023

### **Bulk Waste Pickup – Change in Schedule**

Councilman Hesterbrink asked that a discussion be held at a future Work Session about potentially changing the two bulk waste pickups to once a month. This potential change is being done due to budgetary and environmental concerns.

Mayor Zeigler stated that it certainly is an interesting suggestion but there is always the possibility the public will object.

### **Shade Tree Ordinance Suggestions**

Councilman Ziegler requested that at a future executive session, the Shade Tree Ordinance be discussed. The Shade Tree Commission has had a thorough communication on the ordinance and has amendments that they wish to be discussed. It was requested that this be on the agenda for the January Work Session.

Mayor Zeigler stated that originally this discussion was to be held in February as the Mayor and Council were unsure if they would be ready to present at an earlier date, but sees no issues with having their suggestions be made sooner. Mayor Zeigler asked that the Shade Tree Commission provide a bullet list of their recommendations.

### **Closed Session**

#### **RES. 2022-284 Authorize Closed Session**

[2022-284 Authorize Closed Session.pdf](#)

BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Leonia entered into Closed Executive Session to discuss the following matters:

- A. Contract Negotiations

## B. Personnel

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After the Closed Executive Session, the Mayor and Council will reconvene to adjourn this meeting.

There being no further business to come before the Council, on a motion from Councilman Grandelis, seconded by Councilman Fusco, and all present voting in favor, the meeting was adjourned to the Closed Executive Session at 8:28 p.m.

### **RES. 2022-285 Authorize Salary Increase for Technical Assistant** **2022-285 Authorize Salary Increase for Technical Assistant**

Motion by Councilman Grandelis, Second by Councilwoman Davis, that RES. 2022-285 be approved.

On a roll call vote, the vote on RES. 2022-285 was recorded as follows:

Councilwoman Davis:	aye	Councilman Hesterbrink:	aye
Councilwoman Fusco:	aye	Councilwoman Terrell:	aye
Councilman Grandelis:	aye	Councilman Ziegler:	aye

### ***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Davis, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:48 pm

Respectfully submitted,

Jonathan Mandel,

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**Adoption of Ordinances**

**ORDINANCE 2023-01**

Trina will read:

The following ordinance published herewith was first read by title only on January 18, 2023, and posted on the bulletin board of the municipal building:

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LEONIA

Mayor Zeigler opens the floor for any public comments on Ordinance 2023-01.

***MAYOR ZEIGLER ASKS THAT A COUNCIL MEMBER MOVE TO PASS AND ADOPT ON SECOND AND FINAL READING ORDINANCE 2023-01 AND THAT NOTICE OF SAME SHALL BE PUBLISHED ACCORDING TO LAW.***

THE MOTION WILL THEN BE SECONDED AND THEN ROLL CALL.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION,  
CHAPTER 100, CANNABIS OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF LEONIA**

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**BE IT ORDAINED**, by the Governing Body of the Borough of Leonia, that Part II, General Legislation, Chapter 100, Cannabis, is hereby repealed and replaced with the following:

**SECTION 1. Article I. Definitions**

**Section 100-1. Terms defined.**

Alternative Treatment Center" or ATC means an organization issued a permit pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) to operate as a medical cannabis cultivator, medical cannabis manufacturer, medical cannabis dispensary, or clinical registrant, as well as any alternative treatment center deemed pursuant to section 7 of that act (C.24:6I-7) to concurrently hold a medical cannabis cultivator permit, a medical cannabis manufacturer permit, and a medical cannabis dispensary permit.

"Cannabis" means all parts of the plant Cannabis sativa L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marijuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.).

"Cannabis Cultivator" means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

“Cannabis Delivery Service” means any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

“Cannabis Distributor” means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

“Cannabis Establishment” means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

“Cannabis Item” means any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin. “Cannabis Item” does not include: Any form of medical cannabis dispensed to registered qualifying patients pursuant to the Jake Honig Compassionate Use Medical Cannabis Act,” P.L. 2009, .307 (c.24:6i-1 et seq.) and P.L. 2015, c. 158 (c.18a:40-12.22 et seq.); or hemp or hemp product cultivated, handled processed, transported, or sold pursuant to the “New Jersey Hemp Farming Act,” P.L. 2019, c.238 (c.4:28-6 et seq.).

“Cannabis Leaf” means the leaf of the plant Cannabis sativa L. within the plant family cannabaceae.

“Cannabis Manufacturer” means any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

“Cannabis Manufacturing” means the drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. “Manufacture” with respect to cannabis does not include packaging or labeling.

“Cannabis Manufacturing” means the drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. “Manufacture” with respect to cannabis does not include packaging or labeling.

“Cannabis Overlay Zone”- The overlay zone whereby the approved classes of Cannabis Establishments are permitted to operate.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

“Cannabis Overlay Zone Map”- The official Township map establishing the Cannabis Overlay Zone.

“Cannabis Paraphernalia” means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing a cannabis item into the human body. “Cannabis Paraphernalia” does not include drug paraphernalia as defined in N.J.S. 2C: 36-1 and which is used or intended for use to commit a violation of Chapter 35 or 362 of Title 2C of the New Jersey Statutes.

“Cannabis Product” means a product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. “Cannabis Product” does not include (1) usable cannabis by itself; (2) cannabis extract by itself; or (3) any other cannabis resin by itself.

“Cannabis Retailer” means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

“Cannabis wholesaler” means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

“Cannabis, Usable” means the dried leaves and flowers of the female plant Cannabis sativa L., and does not include seedlings, seeds, stems, stalks, or roots of the plant.

Microbusiness- A person or entity licensed under P.L.2021, c. 16 (C.24:6I-31 et al.) as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations, and capacity and quantity of product: (1) employ no more than 10 employees; (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow above that plane not higher than 24 feet; (3) possess no more than 1,000 cannabis plants each month, except



**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

that a cannabis distributor's possession of cannabis plants for transportation shall not be subject to this limit; (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis; (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof.

**SECTION 2. Article II. License required**

**Section 100-2. Permitted and prohibited licenses.**

- A. Permitted Licenses- Those businesses possessing a license issued by the State of New Jersey to operate and a Class 1, Class 2, Class 3, or Class 4, adult-use license pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), may operate within the Borough of Leonia, subject to all of the provisions of this ordinance and all applicable State standards and regulations.
  
- B. Prohibited Licenses: Class 5 Retail license and Class 6 Distribution license are strictly prohibited in the Borough of Leonia. The delivery of cannabis items and related supplies by a Class 6 license holder located outside of the Borough of Leonia shall be permitted.

**Section 100-3. Limitations on the number of licenses.**

The Borough of Leonia expressly permits four (4) total cannabis licenses to operate within the Borough limits as follows:

- A. Three (3) Class 1 adult-use cultivation license;
- B. Three (3) Class 2 adult-use manufacturing license;
- C. Three (3) Class 3 adult-use wholesaler license; and
- D. Three (3) Class 4 adult-use distributor license;

**Section 100-4. Licensing process, fee established, inspection, revocation.**

- A. It shall be unlawful for any person or any corporate entity to operate a Cannabis Establishment without first having procured an annual license from the Borough Clerk's Office.
  
- B. License fees; renewal; late fees.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

1. A Cannabis Establishment permitted to operate in the Borough shall pay to the Borough a prorated annual License Fee of \$20,000.00.
2. The licenses issued shall be effective for the calendar year, expiring on the 31st day of December of the year of issue, and may be renewable upon application for succeeding calendar years thereafter. The fee for license renewals shall be due and payable on or before the first day of February in the year of renewal or be subject to late fees.
3. Late fees. A late fee of \$100 shall be charged for renewal licenses which are not paid on/or before February 1 of the license year. An additional \$75 shall be charged for each thirty-day period that the license fee is not paid after February 1 of the license year.

C. Application for license.

1. Any person or persons, corporation or corporations desiring to conduct, maintain or operate any of the aforementioned businesses within the Borough of Leonia shall complete the designated application form.
2. Applications shall be submitted to the Borough Clerk and will be deemed complete upon submittal of all documentation and information described in herein to the satisfaction of the Governing Body.
3. Subject to the provisions set forth below, licensing for a Cannabis Establishment will be on a reserve basis based on the order the application form is received until the number of permitted licenses is reached. A licensee's failure to submit a fully completed Cannabis Establishment Application after a period of ninety (90) days from the original date of submittal shall constitute a basis for the Governing Body to deem the application expired and subject the licensee to a loss of the reserve space.
4. No further applications will be accepted when the Borough has obtained the number of application forms totaling the number of available licenses permitted by Ordinance.
5. The following documentation and information shall be provided in order for the application to be deemed complete and the license issued:
  - a. A copy of the current State-approved license.
  - b. The proposed days and hours of operation;

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

- c. Security Plan;
- d. Environmental Impact and Sustainability Plan;
- e. Water and energy consumption plan detailing anticipated water and energy consumption.
- f. Host Community Plan;
- g. A proposed signage plan;
- h. A plan describing the mitigation measures and ventilation system that will be used to prevent any odor of Cannabis off the premises;
- i. The name(s) and location(s) of the offsite cultivation facilities associated with a dispensary; and
- j. Such other information or documentation as determined to be necessary to assess compliance with the requirements set forth or referenced herein;

D. Notification of award.

Upon completion of the requirements set forth in paragraph B above, a notification of award shall be issued pursuant to Resolution by the Governing Body. The Borough Clerk's Office shall then issue the annual license.

E. Inspection.

- 1. Every Cannabis Establishment licensed to operate in the Borough shall be subject inspection by Borough officials or agents, during reasonable hours, without prior notice. Failure or refusal on the part of the licensed Cannabis Establishment or his agents or servants to permit such inspection, maybe subject to suspension or revocation of the license.
- 2. Should an inspection result in a documented violation in the form of a Complaint, the Cannabis Establishment must rectify the violation according to the Complaint or be subject to a suspension or revocation of the license.

F. Revocation, suspension or cancellation of licenses; hearing.

- 1. Any license issued under the terms and provisions of this chapter may be suspended or revoked by the Governing Body for the willful violation by the licensee of any provision of the Borough Code.
- 2. Summary suspension. If the Borough Council has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any provision of this the Borough Code or upon proof that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Borough Council may enter a Summary Suspension Order for the immediate suspension of such license pending a public hearing.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

3. A public hearing shall be scheduled within 30 days of the Summary Suspension Order. Said Order shall contain the time and place of the public meeting.
4. Written notice of the time and place of such hearing shall be served upon the Cannabis Establishment at least 10 days prior to the date set for such hearing. Notice may be given either by personal delivery thereof to the person to be notified or by Certified Mail, returned receipt to the business address appearing upon said license.
5. Upon due consideration and deliberation based on the record evidence presented, the Governing Body may issue a fine not to exceed \$2,500 per violation and issue a temporary suspension of the license not to exceed three (3) months, or may revoke the license in its entirety.
6. If any such license shall have been revoked, neither the holder thereof nor any person acting for him/her, directly or indirectly, shall be entitled to another license to carry on the same business within the Borough, unless the application for such license shall be approved by the Governing Body.

**SECTION 3. Article III. Zoning**

**Section 100-5. Zoning.**

- A. A Cannabis Establishment seeking to operate under a Class 1, Class 2, Class 3, or Class 4 license may operate within the LI District only as a Conditional Use.
- B. All Cannabis Establishments operating in the Borough of Leonia shall be permitted as a Condition Use, subject to the following conditions:
  1. Present proof of the appropriate State license to operate the proposed Cannabis Establishment;
  2. All Cannabis Establishments shall undergo site plan review by the Borough's Land Use Board, unless a prior approval has been issued by the Borough's Land Use Board approving the same Cannabis Establishment license to operate at the proposed location;
  3. A Cannabis Establishment shall be subject to licensing requirements outlined in Section 100-4;
  4. Class 1, Class 2, Class 3, or Class 4 licenses shall be subject to all "bulk" standards established for the LI Zone District.
  5. Drive-thru access shall be prohibited;

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

6. No Cannabis Paraphernalia shall be displayed or kept at the Cannabis Establishment so as to be visible from outside the premises;
7. Cannabis Consumption Areas are strictly prohibited;
8. No Cannabis Product shall be smoked, eaten, or otherwise consumed or ingested on the premises of any Cannabis Establishment;
9. A Cannabis Establishment shall not be located in a home, apartment, townhouse, condominium or mix-use building;
10. If located in a multi-tenant commercial building, the Cannabis Establishment shall have a separate entrance where no part of the Cannabis Establishment shall be directly accessible from any common area within the building;
11. The applicant shall implement an odor mitigation infrastructure so that odors emanating from the facility are not detectable by a person on adjacent properties, rights-of way, or other units with a building on the same lot;
12. All activities associated with the production of cannabis, including cultivation, manufacturing, and processing, shall occur within an enclosed building;
13. The applicant shall comply with the signage standards of the underlying zoning district, including the following additional limitations:
  - a. No sign shall be placed on the roof of a building nor placed on its walls so as to exceed in height the roof of a building;
  - b. No illuminated signs shall be permitted;
  - c. No freestanding signs shall be permitted;
  - d. There shall only be one sign; and
  - e. The content of signage shall be restricted to text on a solid background. The logo of the business may be included provided the logo does not include a cannabis plant leaf or image of other cannabis paraphernalia or products.

**SECTION 4. Article IV. Municipal Tax**

**Section 100-6. Municipal tax imposed.**

A. Transfer Tax and User Tax Imposed.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

1. There is hereby imposed a transfer tax of two percent (2%) on receipts from the sale of all Cannabis from a Cannabis Cultivator, a Cannabis Manufacturer, and a Cannabis Retailer.
2. There is hereby imposed a transfer tax of one percent (1%) on receipts from the sale of Cannabis from a Cannabis Wholesaler.
3. There is hereby imposed a user tax equivalent to the transfer tax rate established in Section 100-4A.1 and 2, on any concurrent license holder, as permitted by section 33 of P.L.2021, c.16 (C.24:6I-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.
4. Such transfer tax shall be collected or paid and remitted to the municipality by the Cannabis Establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer.
5. The transfer tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item. No Cannabis Establishment required to collect a transfer tax imposed hereunder shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax will be refunded to the Cannabis Establishment or the consumer.

**B. Tax Liability.**

Every Cannabis Establishment required to collect a transfer tax and user tax imposed herein shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any Cannabis Establishment shall have the same right with respect to collecting the transfer tax from another Cannabis Establishment or the consumer as if the transfer tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the Cannabis Establishment or consumer, as if the transfer tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**Section 100-7. Collection of taxes, lien, returns.**

- A. All revenues collected from a transfer tax and user tax imposed pursuant to this section shall be remitted to the Borough of Leonia Chief Financial Officer in the manner prescribed herein. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed.
  
- B. The Borough of Leonia may enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes.
  - 1. In the event that the transfer tax imposed by ordinance pursuant to this section is not paid when due by a Cannabis Establishment the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the Cannabis Establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges.
  - 2. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.
  - 3. The Borough shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.
  
- C. Administration of Transfer Tax and User Tax.
  - 1. The Borough of Leonia Chief Financial Officer is charged with the administration and enforcement of the provisions of this chapter, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter.
  - 2. Should a Cannabis Establishment fail or refuse to provide adequate information to the Chief Financial Officer to determine the amount of tax due, the Chief Financial Officer may use information provided to the Chief Financial Officer

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

from other sources (i.e., the Commission or Department of Treasury) to determine the amount of tax liability.

- a. Every Medicinal Cannabis Dispensary is hereby directed and required to give to the Chief Financial Officer, or to any agent designated by him/her, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized.
- b. The Chief Financial Officer is hereby authorized to examine the books, papers and records of the Cannabis Establishment to verify the accuracy of any declaration or return, or if no declaration or return was filed, to ascertain the tax due.
- c. It shall be the duty of the Chief Financial Officer to collect and receive the taxes, fines, and penalties imposed by this chapter. It shall also be the duty of the Chief Financial Officer to keep a record showing the date of such receipt. The Chief Financial Officer is authorized to enter into agreements with the State of New Jersey to obtain information to facilitate administration of the tax. The Chief Financial Officer is authorized to issue a ruling upon written request of a taxpayer or upon its own volition.

**D. Recordkeeping.**

1. A Cannabis Establishment liable for the transfer tax or user tax shall be required to keep such records as will enable the filing of true and accurate returns of the tax and such records shall be preserved for a period of not less than three (3) years from the filing date or due date, whichever is later, in order to enable the Chief Financial Officer or any agent designated to verify the correctness of the declarations or returns filed.
2. If records are not available in the municipality to support the returns which were filed or which should have been filed, the Cannabis Establishment will be required to make them available to the Chief Financial Officer either by producing them at a location in the municipality or by paying for the expenses incurred by the Chief Financial Officer or his agent in traveling to the place where the records are regularly kept.

**E. Returns.**

1. All Cannabis Establishments operating in the municipality are required to file a tax return with the Chief Financial Officer to report their sales during each calendar quarter and the amount of tax in accordance with the provisions of this chapter. Returns shall be filed and payments of tax imposed for the preceding



**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

calendar quarter shall be made on or before the last day of April, July, October, and January, respectively.

2. A Cannabis Establishment that has overpaid the transfer tax, or who believes it is not liable for the tax, may file a written request on an amended tax return with the Chief Financial Officer for a refund or a credit of the tax. For amounts paid as a result of a notice asserting or informing a taxpayer of an underpayment, a written request for a refund shall be filed with the Chief Financial Officer within two (2) years of the date of the payment.

F. Confidentiality.

The returns filed by the Cannabis Establishment, and the records and files of the Chief Financial Officer respecting the administration of the transfer tax, shall be considered confidential and privileged and neither the municipality nor any employee or agent engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom, shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said records or files or from any examination or inspection of the premises or property of any person. Neither the Chief Financial Officer nor any employee engaged in such administration or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding under the provisions of the State Uniform Tax Procedure Law or of the tax law affected, or where the determination of the action or proceeding will affect the validity or amount of the claim of the municipality under the tax provisions of this chapter.

**Section 100-8. Audit, assessment, limitations, and appeals.**

- A. The Borough's Chief Financial Officer may initiate an audit by means of an audit notice to be served on any agent at the Cannabis Establishment's principal place of business. If, as a result of an examination conducted by the Chief Financial.
- B. In the event a return a return is found to be incorrect and transfer or user taxes are owed, the Chief Financial Officer is authorized to assess and collect any tax due and owing. Deficiency assessments (i.e., where a Cannabis Establishment filed a return but is found to owe additional tax) shall include taxes for up to three (3) years to the date when the deficiency is assessed.
- C. If no return has been filed and tax is found to be due, the tax actually due may be assessed and collected with or without the formality of obtaining a return from the

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

taxpayer. Where no return was filed, there shall be no limit to the period of assessment.

- D. All expenses incurred by the Borough associated with the audit and the collection of the outstanding taxes shall be paid by the delinquent Cannabis Establishment.
- E. Upon proposing an assessment, the Chief Financial Officer shall send the Cannabis Establishment an interim notice by certified mail, return receipt requested, or by electronic means approved by the Cannabis Establishment, advising the taxpayer of additional taxes that are due. Should the taxpayer wish to dispute the assessment administratively by requesting a hearing with the Chief Financial Officer, it must do so within thirty (30) days of the date of such interim notice. If, after the Chief Financial Officer sends an interim notice, a taxpayer fails to timely request a hearing with the Chief Financial Officer or requests a hearing and after conducting a hearing, the Chief Financial Officer determines that the taxes are due, the Chief Financial Officer shall send the Cannabis Establishment by certified mail, return receipt requested, or by electronic means approved by the Cannabis Establishment, a final notice. Should the Cannabis Establishment wish to dispute the assessment set forth in the final notice, the Medicinal Cannabis Dispensary must initiate an appeal in the New Jersey Tax Court within ninety (90) days after the mailing of any final notice regarding a decision, order, finding, assessment, or action hereunder.

G. Time Limitations.

The following periods of limitations shall apply to suits for collection of taxes:

1. When a return has been filed but no tax paid, any suit brought to recover the tax due and unpaid shall be filed within two (2) years after the return was due or filed, whichever is later;
2. Where no return was filed or a fraudulent return was filed, there shall be no limits to file suit for the collection of taxes;
3. Where, before the expiration of the time prescribed in this section for the filing a lawsuit against the taxpayer, both the Chief Financial Officer and the taxpayer have consented in writing to its extension after such time, the suit may be filed at any time prior to the expiration of the period agreed upon; and
4. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

H. Hearings.

Any person who receives an interim notice from the Chief Financial Officer may within thirty (30) days after the date of an interim notice, request a hearing with the Chief Financial Officer. Any person who fails to request a hearing in a timely manner waives the right to administratively contest any element of the assessment. The Chief Financial Officer shall accept payments of disputed tax amounts under protest pending appeals; however, any request for refund of such monies must be filed in accordance with this section.

I. Appeals.

A Cannabis Establishment may, within ninety (90) days after the mailing of any final notice regarding a decision, order, finding, assessment, or action hereunder, or publication of any rule, regulation or policy of the Chief Financial Officer, appeal to the Tax Court pursuant to the jurisdiction granted by N.J.S.A. 2B:13-2a(3) to review actions or regulations of municipal officials by filing a complaint in accordance with the New Jersey Court Rule 8:3-1. The appeal provided by this section shall be the exclusive remedy available to any taxpayer for review of a final decision of the Chief Financial Officer in respect to a determination of liability for the tax imposed by this chapter.

SECTION 5. INCONSISTENT ORDINANCES REPEALED: Any article, section, paragraph, subsection, clause, or other provision of the City of Garfield inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 6. SEVERABILITY: If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

This ordinance shall take effect upon its passage.

I hereby certify that this is a true and exact copy  
of resolution adopted by the Mayor and Council of  
the Borough of Leonia on the day of            2023

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**, RMC  
Borough Clerk**

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**Motion**

**Second**

**Ayes:**

**Nays: Abstain: Absent:**

**BOROUGH OF LEONIA  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORD. 2023-01**

RECORD OF VOTE												
	First Reading						Second Reading					
	January 18, 2023						February 6, 2023					
	M	S	Y	N	A	AB	M	S	Y	N	A	AB
Council												
Grandelis			✓									
Davis		✓	✓									
Fusco			✓									
Hesterbrink						✓						
Terrell	✓		✓									
Ziegler			✓									
Mayor Zeigler												
M - Motion    S - Seconded    Y- Yes    N - No    A - Abstain    AB - Absent												

\_\_\_\_\_  
Judah Zeigler, Mayor

ATTEST:

\_\_\_\_\_  
Trina Lindsey, Borough Clerk

## **Introduction of Ordinances**

### **Ordinance 2023-02**

TRINA WILL READ THE TITLE OF THE ORDINANCE.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 181 ENTITLED “NOISE”, ARTICLE 11 ENTITLED “TOOLS AND EQUIPMENT, SECTION 10 ENTITLED “RESTRICTIONS ON USE OF TOOLS AND EQUIPMENT” OF THE CODE OF THE BOROUGH OF LEONIA TO PROVIDE FOR RESTRICTIONS ON THE USE OF INTERNAL COMBUSTION LEAF BLOWERS

MAYOR ZEIGLER WILL REQUEST A COUNCIL MEMBER TO MAKE A MOTION TO INTRODUCE AND PASS ON FIRST READING ORDINANCE 2023-02 AND SET THE HEARING FOR FEBRUARY 22, 2023 AT 7:30 PM OR AS SOON THEREAFTER IN LEONIA BOROUGH HALL VIRTUALLY VIA GOTOMEETING.

THE MOTION WILL THEN BE SECONDED.

TRINA WILL CONDUCT THE ROLL CALL.

**BOROUGH OF LEONIA**  
**ORDINANCE NO. 2023-02**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 181 ENTITLED “NOISE”,  
ARTICLE 11 ENTITLED “TOOLS AND EQUIPMENT, SECTION 10 ENTITLED  
“RESTRICTIONS ON USE OF TOOLS AND EQUIPMENT” OF THE CODE OF THE  
BOROUGH OF LEONIA TO PROVIDE FOR RESTRICTIONS ON THE USE OF INTERNAL  
COMBUSTION LEAF BLOWERS**

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and

WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound,

NOW, THEREFORE, it is the policy of the Borough of Leonia to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This ordinance shall apply to the control of sound originating from sources within the Borough of Leonia.

Be it ordained that Chapter 181, Article 11, Section 181-10 of the Code of the Borough of Leonia is hereby amended and supplemented by the addition of the following:

**Section 1.**

**181-10H Internal Combustion Leafblowers**

1. Purpose and Intent. The Borough of Leonia hereby finds that unlimited use of leafblowers powered by internal combustion engines impairs the economic and social welfare, health, peace and quality of life of persons residing in Leonia. The purpose of this section is to minimize the adverse impact of such equipment by restricting its use within the Borough.
2. Hours of Use. Notwithstanding anything to the contrary in this chapter, leafblowers powered by internal combustion engines shall not be operated in the Borough of Leonia except as follows:
  - (A) On weekdays between 8:00 a.m. and 6:00 p.m., except that leafblowers may be used by an occupant or owner of the premises between 8:00 a.m. and 8:00 p.m. on weekdays.
  - (B) On Saturdays between 9:00 a.m. and 2:00 p.m., except that leafblowers may be used by an occupant or owner of the premises between 9:00 a.m. and 6:00 p.m.

- (C) On Sundays use is prohibited except that leafblowers may be used by an occupant or owner of the property between 10:00 a.m. and 6:00 p.m.
3. **Limitation on Use of Leafblowers Powered by Internal Combustion Engines.** The operation of leafblowers powered by internal combustion engines shall be limited to each calendar year to the time period between March 15 and May 15, inclusive and between October 15 and December 15 inclusive. The Municipal Emergency Management Coordinator, Deputy Municipal Emergency Management Coordination and Second Deputy Municipal Emergency Management Coordinator shall have the authority to extend or modify such dates when extreme or unusual weather conditions warrant.
  4. **Mufflers.** It shall be a violation hereof to operate any leafblower powered by an internal combustion engine in the Borough of Leonia without a properly functioning muffler.
  5. **Safety Equipment.** Business operators shall provide their employees using leafblowers powered by internal combustion engines with appropriate equipment to protect employees' health, including hearing protection and eye protection. Business operators shall further ensure that employees use appropriate personal protective equipment while operating leaf blowers powered by internal combustion engines.
  6. **Responsibilities of Property Owners, Business Operators, Landlords and Tenants.** Property owners, business operators, landlords and tenants of a property shall each have all the duties and responsibilities prescribed in this chapter, and no property owner, business operator, landlord or tenant shall be relieved from such duties or responsibilities by reason of the fact that the other of them or the occupant is also responsible therefor and in violation thereof.
  7. **Emergencies.** The Municipal Emergency Management Coordinator, Deputy Municipal Emergency Management Coordination and Second Deputy Municipal Emergency Management Coordinator are authorized to suspend any one or more of the provision of this section for a period of 24 hours or more whenever such Coordinator determines that an emergency situation exists in the Borough. Such suspension may be renewed each day during the continuance of such emergency.

## **Section 2.**

### **Consistency**

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

## **Section 3.**

### **Severability**

If any article, section, subsection, sentence, clause or phrase of this ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.



**Section 4.**

**Repealer**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 5.**

**Effect**

This ordinance will take effect immediately upon publication.

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Judah Zeigler, Mayor

ATTEST:

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Trina Lindsey, Borough Clerk

**RECORD OF VOTE**

Council	First Reading						Second Reading					
	February 6, 2023						February 22, 2023					
	M	S	Y	N	A	AB	M	S	Y	N	A	AB
Grandelis												
Davis												
Fusco												
Hesterbrink												
Terrell												
Ziegler												
Mayor Zeigler												
M - Motion    S - Seconded    Y- Yes    N - No    A - Abstain    AB - Absent												

\_\_\_\_\_  
Judah Zeigler, Mayor

ATTEST:

\_\_\_\_\_  
Trina Lindsey, Borough Clerk

**BOROUGH COUNCIL  
BOROUGH OF LEONIA  
COUNTY OF BERGEN**

**RESOLUTION NO. 2023-71**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**RESOLUTION DETERMINING THAT CERTAIN PROPERTIES LOCATED WITHIN THE BOROUGH OF LEONIA, IDENTIFIED AS BLOCK 503, LOTS 24, 25 AND 26; BLOCK 801, LOTS 1 AND 2; BLOCK 802, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 20 AND 21; BLOCK 1201, LOT 1 AND BLOCK 1202 LOT 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF LEONIA, CONSTITUTE A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 TO -89, AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN**

**WHEREAS**, the Borough of Leonia, in the County of Bergen, New Jersey (the “Borough”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 to -89, (the “Redevelopment Law”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Borough Council adopted Resolution No. 2018-201 and Resolution No. 2021-187, authorizing and directing the Planning Board of the Borough of Leonia (the “Planning Board”) to conduct a preliminary investigation and hold a public hearing regarding the following properties identified as:

- Block 503, Lots 24, 25 and 26;
- Block 801, Lots 1 and 2;
- Block 802, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 20 and 21;

Block 1201, Lot 1;

Block 1202, Lot 1;

on the Tax Map of the Borough of Leonia (hereinafter the “Study Area”), to determine if the properties constituted a non-condemnation “area in need of redevelopment”, in accordance with the Redevelopment Law; and

**WHEREAS**, the Planning Board retained H2M Associates, Inc. (“H2M”), to assist in preparing the preliminary investigation of a portion of the Study Area, as follows:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>ADDRESS</u></b>
503	24	Schor Avenue
503	25	Schor Avenue
503	26	Schor Avenue
801	1	Willow Tree Rd & Schor Ave
801	2	1 Willow Tree Road
802	1	120 Schor Avenue
802	2	124 Schor Avenue
802	3	132 Schor Avenue
802	4	144 Schor Avenue
802	5	400 Grand Avenue
802	6	392 Grand Avenue
802	7	388 Grand Avenue
802	8	380 Grand Avenue
802	9	372 Grand Avenue
802	10	368 Grand Avenue
802	11	356-364 Grand Avenue
802	20	2 Willow Tree Road
802	21	400 Willow Tree Road
1201	1	Spring Street
1202	1	Spring Street

which is identified as the “Grand Avenue & Willow Tree Road Study Area”; and

**WHEREAS**, on October 26, 2022, the Planning Board conducted a public hearing, which was duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Grand Avenue & Willow Tree Road Study Area in Need of Redevelopment Preliminary Investigation Report” prepared by H2M, dated October 27, 2022<sup>1</sup> (the “Study”); and

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<sup>1</sup> Although dated October 27, 2022, the Study was available more than ten (10) days prior to the Planning Board’s meeting held on October 26, 2022.

**WHEREAS**, any persons interested in or affected by a determination that the Grand Avenue & Willow Tree Road Study Area is a non-condemnation redevelopment area were given an opportunity to be heard at the public hearing, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

**WHEREAS**, on January 25, 2023, the Planning Board adopted a Resolution recommending that the Grand Avenue & Willow Tree Road Study Area be determined by the Borough Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law as it relates to the following properties:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>ADDRESS</u></b>
503	24	Schor Avenue
503	25	Schor Avenue
503	26	Schor Avenue
801	1	Willow Tree Rd & Schor Ave
801	2	1 Willow Tree Road
802	1	120 Schor Avenue
802	2	124 Schor Avenue
802	3	132 Schor Avenue
802	4	144 Schor Avenue
802	5	400 Grand Avenue
802	6	392 Grand Avenue
802	7	388 Grand Avenue
802	8	380 Grand Avenue
802	9	372 Grand Avenue
802	10	368 Grand Avenue
802	11	356-364 Grand Avenue
802	20	2 Willow Tree Road
802	21	400 Willow Tree Road

**WHEREAS**, the Borough Council concurs and agrees with the Planning Board’s recommendation as supported by the reasons stated in the Study, that the Grand Avenue & Willow Tree Road Study Area constitutes and meets the criteria under the Redevelopment Law and that the Grand Avenue & Willow Tree Road Study Area, excluding Block 1201, Lot 1 and Block 1202, Lot 1, should be determined and declared a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”), which determination shall, among other things, authorize the Borough to use all of the powers provided by the Legislature for use in a redevelopment area, however, it shall not authorize the Borough to exercise the power of eminent domain to acquire all or any portion of the Redevelopment Area; and

**WHEREAS**, the Borough is desirous of continuing revitalization and redevelopment efforts in the Borough; and

**WHEREAS**, the Borough desires to authorize and direct the Planning Board to prepare a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

**WHEREAS**, the Borough believes that the properties in the Redevelopment Area are potentially valuable for contributing to, serving and protecting the public health, safety and welfare and will promote smart growth within the Borough; and

**WHEREAS**, the Borough Council believes that the preparation of the Redevelopment Plan is in the best interests of the Borough for the development of the Redevelopment Area.

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LEONIA, AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
503	24	Schor Avenue
503	25	Schor Avenue
503	26	Schor Avenue
801	1	Willow Tree Rd & Schor Ave
801	2	1 Willow Tree Road
802	1	120 Schor Avenue
802	2	124 Schor Avenue
802	3	132 Schor Avenue
802	4	144 Schor Avenue
802	5	400 Grand Avenue
802	6	392 Grand Avenue
802	7	388 Grand Avenue
802	8	380 Grand Avenue
802	9	372 Grand Avenue
802	10	368 Grand Avenue
802	11	356-364 Grand Avenue
802	20	2 Willow Tree Road
802	21	400 Willow Tree Road

are hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law.

**Section 3.** The Borough Council hereby directs the Borough Clerk to transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs and to serve notice on the owners of the Grand Avenue & Willow Tree Road Study Area, and other parties entitled to notice, within ten (10) days of the date hereof, in accordance with N.J.S.A.

40A:12A-6(b)(5), that properties listed in Section 2 of this Resolution are designated a non-condemnation “area in need of redevelopment”.

**Section 4.** The Planning Board is authorized and directed to prepare a Redevelopment Plan for all of the properties listed in Section 2 of this Resolution, in accordance with the Redevelopment Law.

**Section 5.** The Planning Board shall transmit the Redevelopment Plan to the Borough Council for further consideration and action upon completion of same.

**Section 6.** This Resolution shall take effect immediately.

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

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Trina Lindsey, RMC  
Borough Clerk

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-72**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**AUTHORIZE BILL LIST**

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2022 Adopted Budget and /or Budget Reserves and 2023 Temporary Budget

2022

Current	01	50,703.13
Pool Operating	05	839.01
Developers Escrow	13	1,275.00
Rec Activities Trust	20	4,435.00
Year Total:		<b>\$ 57,252.14</b>

2023

Current	01	565,086.99
Pool Operating	05	109.80
Developers Escrow	13	2,851.00
Rec Activities Trust	20	6,168.15
Recycling Trust	24	534.00
Year Total:		<b>\$ 574,749.94</b>

Capital	C-04	313,922.67
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Total of All Funds:		<b>\$ 945,924.75</b>
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**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-72**

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

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Trina Lindsey, RMC  
Borough Clerk

P.O. Type: All      Include Project Line Items: Yes      Open: N    Paid: N    Void: N  
Range: First      to Last      Rcvd: Y    Held: Y    Aprv: N  
Format: Condensed      Bid: Y    State: Y    Other: Y    Exempt: Y  
Vendors: All      Include Non-Budgeted: Y  
Rcvd Batch Id Range: First      to Last

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
21-02487	04/15/21	HERZI005	HERZIG, MICHAEL	ESCROW RELEASE	Open	1,275.00	0.00
21-02489	10/19/21	NEWJE120	NEW JERSEY FIRE EQUIPMENT	FLOW TESTING AIR PACKS	Open	1,512.00	0.00
21-02490	10/13/21	NEWJE120	NEW JERSEY FIRE EQUIPMENT	HOSE COUPLINGS/SAFETY VEST	Open	2,630.00	0.00
22-00516	03/25/22	CTCI0005	CTCI	TRAINING/DELIVERY-AV EQUIP	Open	968.58	0.00
22-00738	04/21/22	BERGE180	BERGEN COUNTY PUBLIC WORKS	SHOWMOBILE #1 PERMIT FEE	Open	250.00	0.00
22-01170	03/08/22	GPCIN005	GPC, INC.	MUNICIPAL BLDG CONSTRUCTION	Open	261,487.23	0.00 B
22-01611	08/11/22	ADVAN025	STAPLES ADVANTAGE	OFFICE SUPPLIES	Open	24.23	0.00
22-01668	08/11/22	KEYST010	KEYSTONE PRINTING	BUSINESS CARDS FOR C KENG	Open	10.00	0.00
22-02216	10/29/22	RECRE030	RECREONICS INC.	SWIM RACE FLAGS AND HOOKS	Open	839.01	0.00
22-02242	11/03/22	CLIFF005	CLIFFSIDE BODY CORP.	HYDRAULIC LIFT GATE - DPW	Open	4,107.00	0.00
22-02296	11/10/22	CLIFF005	CLIFFSIDE BODY CORP.	INSTALL MASON DUMP BODY	Open	10,524.00	0.00
22-02336	11/15/22	OFFIC065	OFFICE CONCEPTS GROUP	BUSINESS CARD, NEW OFFICERS	Open	87.52	0.00
22-02502	12/02/22	NEWJE120	NEW JERSEY FIRE EQUIPMENT	LVFD PROTECTIVE CLOTHING/EQUIP	Open	19,115.00	0.00
22-02528	12/16/22	HUDSO025	HUDSON TIRE EXCHANGE	TIRES POLICE CAR 912	Open	606.80	0.00
22-02548	12/16/22	ENGIN010	STONEFIELD ENGINEERING	PB 131 FORT LEE 063022	Open	725.00	0.00
22-02549	12/16/22	ENGIN010	STONEFIELD ENGINEERING	PB OUTDOOR BILLBOARD 063022	Open	725.00	0.00
22-02550	12/16/22	BEATT015	BEATTIE PADOVANO, LLC	PB 180 FORT LEE 113022	Open	402.50	0.00
22-02551	12/16/22	BEATT015	BEATTIE PADOVANO, LLC	PB 131 FORT LEE 113022	Open	385.00	0.00
23-00005	01/10/23	AMAZO010	AMAZON CAPITAL SERVICES	OFFICE SUPP,WEAPON LIGHT BATT.	Open	272.75	0.00
23-00029	01/14/23	PARKJ040	PARK, JASON	NOV/DEC BASKETBALL ATTENDANT	Open	198.00	0.00
23-00030	01/14/23	H2MAS005	H2M ASSOCIATES, INC.	PB GENERAL PLANNING 112522	Open	115.50	0.00
23-00033	01/14/23	JACO025	CLEARY GIACOBBE ALFIERI JACOBS	LEGAL SVCS- TAX APPEALS NOV	Open	868.00	0.00
23-00034	01/14/23	AMAZO010	AMAZON CAPITAL SERVICES	BUILDING DEPT STAMPS	Open	52.78	0.00
23-00036	01/14/23	BAEZB005	BAEZ, BRENDA	REIMB. FOR BACKGROUND CHECK	Open	83.20	0.00
23-00040	01/14/23	ADVAN025	STAPLES ADVANTAGE	BUILDING DEPT SUPPLIES	Open	60.55	0.00
23-00044	01/14/23	SEATI005	ALSTAR SEATING	REPLACEMENT SEAT- BUCKET TRUCK	Open	135.00	0.00
23-00048	01/14/23	H2MAS005	H2M ASSOCIATES, INC.	MASTERPLAN SVCS THRU. OCT 2022	Open	670.23	0.00
23-00049	01/14/23	GENER035	GENERAL CODE	NJMC STUDY GUIDE SUBSCRIPTION	Open	49.00	0.00
23-00051	01/14/23	JACO025	CLEARY GIACOBBE ALFIERI JACOBS	LEGAL SVCS- LEONIA REDEV. DEC	Open	176.00	0.00
23-00052	01/14/23	NEWJE135	NEW JERSEY PERFORMING ARTS	NAI NI CHEN TRIP FOR SENIORS	Open	370.10	0.00
23-00062	01/17/23	OLYMP005	OLYMPIC GLOVE & SAFETY CO.	LFD GAS DETECTION SYSTEMS	Open	5,940.00	0.00
23-00063	01/17/23	RUTGE045	RUTGERS CENTER FOR GOV'T SERV	ZONING COURSE	Open	634.00	0.00
23-00065	01/17/23	ADVAN025	STAPLES ADVANTAGE	OFFICE SUPPLIES	Open	197.37	0.00
23-00080	01/21/23	CANON005	CANON FINANCIAL SERVICES, INC.	BOROUGH HALL COPIER LEASES	Open	389.14	0.00
23-00081	01/21/23	FICKE010	FICKE, HAROLD	REIMBURSEMENT MEDICARE PART B	Open	1,020.60	0.00
23-00082	01/21/23	GALGO010	GALGOZI, JANE	REIMBURSEMENT MEDICARE PART B	Open	1,020.60	0.00
23-00083	01/21/23	BROAD075	BROADWAY INBOUND, INC	BROADWAY TICKETS FOR SENIORS	Open	1,770.00	0.00
23-00084	01/21/23	SPORT055	SPORTS TIME	JERSEYS FOR WINTER BASKETBALL	Open	1,827.00	0.00
23-00085	01/21/23	JANG0025	JANG, JINWOO	KUMDO MINI WINTER SESSIONS	Open	640.00	0.00
23-00086	01/21/23	TREAS035	TREASURER STATE OF N.J.	NJ DCA 4Q PERMIT FEES	Open	2,501.00	0.00
23-00087	01/21/23	PENNO005	PENNONI ASSOCIATES INC.	SOIL 102 CRESCENT 112722	Open	196.00	0.00
23-00088	01/21/23	PENNO005	PENNONI ASSOCIATES INC.	SOIL 284 GLENWOOD 112722	Open	330.00	0.00
23-00089	01/21/23	LEONI055	LEONIA BOARD OF EDUCATION	TURF FIELD PORTABLES/JAN 2023	Open	149.00	0.00
23-00090	01/21/23	CRYST010	CRYSTAL SPRINGS	REC WATER DELIVERY JAN 2023	Open	41.43	0.00
23-00091	01/21/23	PENNO005	PENNONI ASSOCIATES INC.	PLANNING ENGINEER - NOV 2022	Open	609.00	0.00
23-00095	01/21/23	REMOT005	REMOTELock	SMART LOCK PARK MEMBERSHIP	Open	798.00	0.00
23-00096	01/21/23	ADVAN025	STAPLES ADVANTAGE	MISC FILING SUPPLIES FOR 2023	Open	169.27	0.00
23-00097	01/21/23	TREAS010	TREASURER STATE OF NEW JERSEY	2ND QTR 2022 MARRIAGES	Open	200.00	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00098	01/21/23	PATTI005	PATTI, MICHAEL	WINTER BASKETBALL REFEREE	Open	330.00	0.00
23-00099	01/21/23	SMALL005	SMALL, TERRY	WINTER BASKETBALL REFEREE	Open	330.00	0.00
23-00100	01/21/23	NJADV005	NJ ADVANCE MEDIA	LEGAL ADVERTISEMENT	Open	112.32	0.00
23-00101	01/21/23	NORTH120	NORTH JERSEY MEDIA GROUP	LEGAL ADVERTISEMENT	Open	20.70	0.00
23-00102	01/21/23	NJADV005	NJ ADVANCE MEDIA	LEGAL ADVERTISEMENT	Open	71.37	0.00
23-00103	01/21/23	NORTH120	NORTH JERSEY MEDIA GROUP	LEGAL ADVERTISEMENTS	Open	122.65	0.00
23-00104	01/21/23	NEWJE010	NEW JERSEY STATE LEAGUE	NJLM MEMBERSHIP DUES	Open	805.00	0.00
23-00105	01/21/23	GSB00005	GSB	LFD LIFE INSURANCE INSTL #8	Open	1,767.00	0.00
23-00107	01/21/23	HUDSO025	HUDSON TIRE EXCHANGE	TIRES FOR SANITATION TRUCKS	Open	2,020.00	0.00
23-00108	01/21/23	MOORE035	MOORE'S HARDWARE	VARIOUS SUPPLIES	Open	134.40	0.00
23-00109	01/21/23	CHARL020	CHARLES HOYT ELECTRICAL CONTR	ELECTRICAL REPAIR TO FUEL PUMP	Open	225.00	0.00
23-00110	01/21/23	AUTOM020	AUTOMOTIVE BRAKE COMPANY	REPAIRS - SANITATION TRUCK 4	Open	89.44	0.00
23-00111	01/21/23	AUTOM020	AUTOMOTIVE BRAKE COMPANY	REPAIRS FOR G4 EXHAUST	Open	83.94	0.00
23-00112	01/21/23	PGAUT010	P & G AUTO INC	PARTS & FLUIDS FOR POLICE 913	Open	229.75	0.00
23-00113	01/21/23	VECTO005	VECTOR SECURITY	DEC-FEB POOL SECURITY	Open	109.80	0.00
23-00114	01/21/23	DAVID005	DAVID WEBER OIL CO.	OIL & WASHER FLUID - LPD CARS	Open	1,153.36	0.00
23-00115	01/21/23	NEWJE010	NEW JERSEY STATE LEAGUE	PART TIME ELEC. INSPECTOR AD	Open	160.00	0.00
23-00116	01/21/23	REDIC005	REDICARE LLC	DPW FIRTAID SUPPLIES JAN 2023	Open	159.60	0.00
23-00117	01/21/23	CINTA015	CINTAS	JANITORIAL SUPPLIES	Open	38.17	0.00
23-00118	01/21/23	46AUT005	46 AUTO REPAIR, INC	TRUCK #10 INSPECTION	Open	262.50	0.00
23-00119	01/21/23	AGLWE005	AGL WELDING SUPPLY CO. INC.	CHEMICAL AND GASES	Open	233.24	0.00
23-00120	01/21/23	ADVAN025	STAPLES ADVANTAGE	OFFICE/BUILDING SUPPLIES	Open	165.17	0.00
23-00121	01/21/23	CINTA015	CINTAS	JANITORIAL SUPPLIES	Open	76.34	0.00
23-00122	01/21/23	BIGBE005	BIG BELLY SOLAR, LLC	TRASH RECEPTACLES	Open	895.20	0.00
23-00123	01/21/23	NATIO190	NATIONAL DUST CONTROL	MONTHLY FLOOR MAT - OCT	Open	538.89	0.00
23-00124	01/21/23	NATIO190	NATIONAL DUST CONTROL	MONTHLY FLOOR MATS - Nov	Open	538.89	0.00
23-00126	01/21/23	AMAZO010	AMAZON CAPITAL SERVICES	SENIOR COFFEE AND BISCUITS	Open	53.95	0.00
23-00127	01/21/23	ROBER040	ROBERTS & SON	SAFETY BACK-UP CAMERA G4	Open	594.86	0.00
23-00128	01/21/23	STATE140	STATE TOXICOLOGY LABORATORY	LPD DRUG TESTING	Open	90.00	0.00
23-00130	01/24/23	H2MAS005	H2M ASSOCIATES, INC.	GRAND WILLOW TREE REDEV. PLAN	Open	465.80	0.00
23-00131	01/24/23	BIGBE005	BIG BELLY SOLAR, LLC	TRASH RECEPTACLES	Open	534.00	0.00
23-00132	01/24/23	HAMIL005	HAMILTON, TIM	WINTER BASKETBALL REFEREE	Open	330.00	0.00
23-00133	01/24/23	SMALL005	SMALL, TERRY	WINTER BASKETBALL REFEREE	Open	330.00	0.00
23-00134	01/24/23	SUITE005	SUITEBRIAR INC.	3 ADDITIONAL LICENSES GSUITE	Open	46.14	0.00
23-00135	01/24/23	CRYST010	CRYSTAL SPRINGS	WATER DELIVERY/ VAR LOCATIONS	Open	123.77	0.00
23-00136	01/24/23	FIRST075	FIRST-CITIZENS BANK & TRUST CO	DPW COPIER LEASE - JAN 2023	Open	126.00	0.00
23-00137	01/24/23	DIREC025	DIRECT ENERGY BUSINESS	COMMERCIAL GAS NOV/DEC 2022	Open	1,513.13	0.00
23-00138	01/24/23	DIREC020	DIRECT ENERGY BUSINESS	COMMERCIAL ELECTRIC NOV/DEC 22	Open	76.96	0.00
23-00139	01/24/23	CHART010	CHARTER COMMUNICATIONS	BOROHALL INTERNET NOV/DEC 2022	Open	137.97	0.00
23-00140	01/24/23	LEONI055	LEONIA BOARD OF EDUCATION	TURF FIELD LIGHTING NOV/DEC 22	Open	47.54	0.00
23-00141	01/24/23	POTTE005	POTTER, CHRISTINA	SPANISH INTERPRETER DEC 2022	Open	750.00	0.00
23-00142	01/24/23	REGIO025	REGIONAL COMMUNICATIONS	PORTABLE RADIO MAINTENANCE	Open	220.85	0.00
23-00143	01/24/23	BERGE425	BERGEN COUNTY POLICE CHIEFS	BC CHIEFS ASSOC DUES 2023	Open	600.00	0.00
23-00144	01/24/23	VEOLI005	VEOLIA WATER NEW JERSEY	HYDRANTS JAN 2023	Open	7,764.89	0.00
23-00145	01/24/23	ACTIO025	ACTION DATA SERVICES	PAYROLL BASE CHARGE DEC 2022	Open	697.50	0.00
23-00146	01/24/23	AUTOM020	AUTOMOTIVE BRAKE COMPANY	EMERGENCY REPAIR SENIOR BUS	Open	153.34	0.00
23-00147	01/24/23	WMREC005	WM RECYCLE AMERICA	RECYCLING FEE - DECEMBER	Open	5,346.01	0.00
23-00148	01/24/23	ADVAN025	STAPLES ADVANTAGE	SENIOR CENTER NEW HP PRINTER	Open	99.99	0.00
23-00166	02/01/23	CINTA015	CINTAS	JANITORIAL SUPPLIES	Open	843.07	0.00
23-00167	02/01/23	HOLYN015	HOLY NAME HOSPITAL	RANDOM DRUG TESTING	Open	70.00	0.00
23-00168	02/01/23	REDIC005	REDICARE LLC	DPW REPLACEMENT/MED SUPPLIES	Open	32.56	0.00
23-00169	02/01/23	NEWJE065	NEW JERSEY MOTOR VEHICLE COMM.	NJMVC - 2023 ANNUAL FEE	Open	150.00	0.00
23-00170	02/01/23	CROWN020	CROWN TROPHY	BASKETBALL TROPHY PLATES	Open	55.00	0.00
23-00171	02/01/23	DAVID005	DAVID WEBER OIL CO.	HYDRAULIC FLUID	Open	750.22	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00172	02/01/23	EXCEL010	EXCEL TERMITE & PEST CONTROL	MONTHLY PEST SVCE - JAN 2023	Open	240.42	0.00
23-00173	02/01/23	HOLYN015	HOLY NAME HOSPITAL	RANDOM DRUG TESTING	Open	110.00	0.00
23-00175	02/01/23	VERIZ010	VERIZON WIRELESS	LPD AIR CARDS	Open	1,692.28	0.00
23-00176	02/01/23	VERIZ010	VERIZON WIRELESS	ONE TALK TELEPHONES	Open	1,344.71	0.00
23-00177	02/01/23	VERIZ010	VERIZON WIRELESS	EMPLOYEE CELLS	Open	1,295.29	0.00
23-00178	02/01/23	VERIZ025	VERIZON BUSINESS	LONG DISTANCE TELEPHONE	Open	98.47	0.00
23-00179	02/01/23	VERIZ050	VERIZON	TELEPHONE VAR PD/FAXES	Open	720.06	0.00
23-00180	02/01/23	MOORE035	MOORE'S HARDWARE	BLACKTOP FOR POTHOLE REPAIR	Open	71.96	0.00
23-00181	02/01/23	ROBER040	ROBERTS & SON	SAFETY STROBE LIGHTS #4	Open	84.24	0.00
23-00182	02/01/23	NJADV005	NJ ADVANCE MEDIA	LEGAL ADVERTISEMENTS	Open	158.51	0.00
23-00183	02/01/23	NORTH120	NORTH JERSEY MEDIA GROUP	LEGAL ADVERTISEMENTS	Open	135.94	0.00
23-00184	02/01/23	H2MAS005	H2M ASSOCIATES, INC.	PLANNING BOARD SERVICES	Open	373.00	0.00
23-00185	02/01/23	VSPIN005	VSP INSURANCE CO., (CT)	VISION PREMIUMS JAN 2023	Open	222.39	0.00
23-00187	02/01/23	HOMED005	HOME DEPOT CREDIT SERVICES	SUPPLIES	Open	136.02	0.00
23-00190	02/01/23	PENNO005	PENNONI ASSOCIATES INC.	PLANNING BOARD SERVICES	Open	783.00	0.00
23-00192	02/01/23	BEATT015	BEATTIE PADOVANO, LLC	PLANNING BOARD SERVICES	Open	17.50	0.00
23-00194	02/01/23	BEATT015	BEATTIE PADOVANO, LLC	PLANNING BOARD SERVICES	Open	70.00	0.00
23-00195	02/01/23	BEATT015	BEATTIE PADOVANO, LLC	PLANNING BOARD SERVICES	Open	1,137.50	0.00
23-00197	02/01/23	BEATT015	BEATTIE PADOVANO, LLC	PLANNING BOARD SERVICES	Open	320.00	0.00
23-00198	02/01/23	SEALI005	SEA LIFE MEADOWLANDS, LLC	SEALIFE AQUARIUM FOR SENIORS	Open	224.00	0.00
23-00199	02/01/23	PATTI005	PATTI, MICHAEL	WINTER BASKETBALL REFEREE	Open	330.00	0.00
23-00200	02/01/23	GOTOT005	GOTO TECHNOLOGIES USA, INC	GOTO WEBINAR SVCE 12/21-2/21	Open	560.00	0.00
23-00201	02/01/23	H2MAS005	H2M ASSOCIATES, INC.	GRAND WILLOW TREE REDEV. PLAN	Open	2,794.80	0.00
23-00202	02/01/23	VEOLI005	VEOLIA WATER NEW JERSEY	WATER SVCE N COUNTY RD/SR CTR	Open	136.36	0.00
23-00203	02/01/23	VERIZ050	VERIZON	LPD ANALOG TELEPHONE SIGNAL	Open	613.52	0.00
23-00204	02/01/23	RENAI010	RENAISSANCE LIFE & HEALTH	SHORT TERM DISABILITY JAN2023	Open	1,294.51	0.00
23-00205	02/01/23	ACTION025	ACTION DATA SERVICES	PAYROLL SVCS 01/13/23	Open	334.68	0.00
23-00207	02/01/23	PUBLI125	PUBLIC WORKS ASSOC. OF NJ	MEMBERSHIP DUES 2023	Open	105.00	0.00
23-00208	02/01/23	BOGIN005	BOGIN, EDWARD	JANUARY PICKLEBALL LESSONS	Open	576.00	0.00
23-00210	02/01/23	AJTER010	AJ TERRELL CONSULTING, LLC	JAN. AFTER SCHOOL ART PROGRAM	Open	1,620.00	0.00
23-00211	02/01/23	JASON015	JASON PARK	JAN. BASKETBALL ATTENDANT	Open	104.78	0.00
23-00212	02/01/23	MCCOR005	MCCORMICK, TAYLOR	FEDERAL TAP GRANT PROJECT #3	Open	9,673.90	0.00
23-00213	02/01/23	JACOB025	CLEARY GIACOBBE ALFIERI JACOBS	LEGAL SVCS- LABOR DEC 2022	Open	2,016.00	0.00
23-00214	02/01/23	MCCOR005	MCCORMICK, TAYLOR	FEDERAL TAP GRANT PROJECT #2	Open	24,889.29	0.00
23-00215	02/01/23	JACOB025	CLEARY GIACOBBE ALFIERI JACOBS	LEGAL SVCS-TAX APPEALS DEC2022	Open	720.00	0.00
23-00217	02/01/23	FIRES005	FIRE & SAFETY SERVICES LTD.	REPAIR COOLANT LEAK E-2	Open	620.00	0.00
23-00218	02/01/23	HOMED005	HOME DEPOT CREDIT SERVICES	SHOP TOOLS FOR DPW	Open	541.28	0.00
23-00220	02/01/23	VSPIN005	VSP INSURANCE CO., (CT)	VISION PREMIUMS DEC 2022	Open	222.39	0.00
23-00221	02/01/23	VERIZ050	VERIZON	FIOS - VARIOUS LOCATIONS	Open	1,506.84	0.00
23-00222	02/01/23	VERIZ050	VERIZON	LPD BREATHALYZER/JAN 2023	Open	44.08	0.00
23-00223	02/01/23	PUBLI120	PUBLIC SERVICE ELECTRIC & GAS	FORT LEE RD/PARK DR N TS	Open	69.07	0.00
23-00226	02/01/23	HOMED005	HOME DEPOT CREDIT SERVICES	BLINDS & SUPPLIES BOH OFFICE	Open	300.85	0.00
23-00230	02/02/23	DIREC025	DIRECT ENERGY BUSINESS	COMMERCIAL GAS 12/17-1/19/23	Open	1,716.95	0.00
23-00232	02/02/23	EASTB030	EAST BERGEN FIREMAN'S	LFD MUTUAL AID ASSOC. DUES	Open	5,309.00	0.00
23-00233	02/02/23	ARCAR005	ARCARI IOVINO ARCHITECTS PC	MUNICIPAL BLDG JAN 2023	Open	12,011.94	0.00
23-00234	02/03/23	H2MAS005	H2M ASSOCIATES, INC.	GRAND WILLOW TREE REDEV. PLAN	Open	4,192.20	0.00
23-00235	02/03/23	MCCOR005	MCCORMICK, TAYLOR	TAP GRANT DESIGN	Open	23,301.40	0.00

Total Purchase Orders: 149 Total P.O. Line Items: 0 Total List Amount: 464,673.80 Total Void Amount: 0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
Fund Description	Fund						
CURRENT	2-01	22,107.02	0.00	22,107.02	0.00	0.00	0.00
POOL OPERATING	2-05	839.01	0.00	839.01	0.00	0.00	0.00
DEVELOPERS ESCROW	2-13	1,275.00	0.00	1,275.00	0.00	0.00	0.00
REC ACTIVITIES TR	2-20	4,435.00	0.00	4,435.00	0.00	0.00	0.00
Year Total:		28,656.03	0.00	28,656.03	0.00	0.00	0.00
CURRENT	3-01	115,463.92	0.00	115,463.92	0.00	0.00	0.00
POOL OPERATING	3-05	109.80	0.00	109.80	0.00	0.00	0.00
DEVELOPERS ESCROW	3-13	0.00	0.00	0.00	0.00	0.00	2,851.00
REC ACTIVITIES TR	3-20	5,397.88	0.00	5,397.88	0.00	0.00	0.00
RECYCLING TRUST	3-24	534.00	0.00	534.00	0.00	0.00	0.00
Year Total:		121,505.60	0.00	121,505.60	0.00	0.00	2,851.00
CAPITAL	C-04	311,661.17	0.00	311,661.17	0.00	0.00	0.00
Total of All Funds:		461,822.80	0.00	461,822.80	0.00	0.00	2,851.00

Project Description	Project No.	Rcvd Total	Held Total	Project Total
19900020 - MSN SERVICES NOBILE	19900020	402.50	0.00	402.50
20210007 - 131 FORT LEE RD	20210007	1,110.00	0.00	1,110.00
20210008 - BILLBOARD	20210008	795.00	0.00	795.00
20210015 - 256 GRAND AVE	20210015	17.50	0.00	17.50
20220002 - 102 CRESCENT AVE	20220002	196.00	0.00	196.00
20220017 - ALBERT W KIM	20220017	330.00	0.00	330.00
Total of All Projects:		<u>2,851.00</u>	<u>0.00</u>	<u>2,851.00</u>

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P.O. Type: All    Include Project Line Items: Yes    Open: N    Paid: Y    Void: N  
     Range: First    to Last    Rcvd: N    Held: N    Aprv: N  
     Format: Condensed    First Enc Date Range: 01/19/23 to 12/31/23    Bid: Y    State: Y    Other: Y    Exempt: Y  
     Vendors: All    Include Non-Budgeted: Y  
     Rcvd Batch Id Range: First    to Last

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00074	01/19/23	NJSHB005	NJSHBP	Clsd	144,333.37	0.00	
23-00075	01/19/23	TOLLS005	TOLLS BY MAIL PROCESSING CTR	Clsd	9.48	0.00	
23-00076	01/19/23	CHART010	CHARTER COMMUNICATIONS	Clsd	119.98	0.00	
23-00077	01/19/23	TOLLS005	TOLLS BY MAIL PROCESSING CTR	Clsd	16.98	0.00	
23-00078	01/20/23	CCSPM005	CCS PMT PROCESSING CTR	Clsd	27.00	0.00	
23-00156	01/19/23	PURCH005	PURCHASE POWER	Clsd	2,000.00	0.00	
23-00160	01/25/23	LEONI305	LEONIA PAYROLL	Clsd	310,211.93	0.00	
23-00161	01/04/23	CHEWC005	CHEWCASKIE, BRIAN	Open	5,769.24	0.00	B
23-00162	01/25/23	DIMIN005	DIMIN FIERRO LLC	Open	1,076.92	0.00	B
23-00164	01/30/23	CONCR010	CONCRETE CONSTRUCTION CORP	Clsd	2,261.50	0.00	
23-00165	01/31/23	PUBLI120	PUBLIC SERVICE ELECTRIC & GAS	Clsd	15,424.55	0.00	
Total Purchase Orders:    11				Total P.O. Line Items:    0	Total List Amount:    481,250.95	Total Void Amount:    0.00	

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Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	2-01	28,596.11	0.00	0.00	28,596.11
CURRENT	3-01	449,623.07	0.00	0.00	449,623.07
REC ACTIVITIES TRUST	3-20	770.27	0.00	0.00	770.27
	Year Total:	450,393.34	0.00	0.00	450,393.34
CAPITAL	C-04	2,261.50	0.00	0.00	2,261.50
Total of All Funds:		481,250.95	0.00	0.00	481,250.95



**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-73**

---

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**AUTHORIZE CANCELLATION AND REFUND OF TAXES FOR 2023 DISABLED  
VETERAN EXEMPTION (BENITEZ)**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey that the Tax Collector is hereby authorized to issue a check in the amount of \$3,853.44, payable to “Wilberto Benitez” for a tax payment on October 26, 2022 for the 4<sup>th</sup> quarter 2022 due November 1<sup>st</sup>. The property is known as Block 208, Lot 20, 133 Eastview Avenue.

**BE IT FURTHER RESOLVED**, the payment was made after the homeowner was approved for a 100% Disabled Veteran’s status.

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

1. Chief Financial Officer
2. Tax Collector

---

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

---

Trina Lindsey, RMC  
Borough Clerk

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-74**

---

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**AUTHORIZE CANCELLATION AND REFUND OF TAXES FOR 2023 DISABLED  
VETERAN EXEMPTION (OH)**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey that the Tax Collector is hereby authorized to issue a check in the amount of \$3,939.74, payable to “Elizabeth Oh” for a tax payment on October 17, 2022 for the 4<sup>th</sup> quarter 2022 due November 1<sup>st</sup>. The property is known as Block 1206, Lot 21, 121 Leonia Avenue.

**BE IT FURTHER RESOLVED**, the payment was made after the homeowner was approved for a 100% Disabled Veteran’s status.

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

1. Chief Financial Officer
2. Tax Collector

---

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

\_\_\_\_\_  
Trina Lindsey, RMC  
Borough Clerk

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-75**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**AUTHORIZE CHANGE ORDER #18 and #19 FOR THE CONSTRUCTION OF THE  
NEW MUNICIPAL BUILDING**

**WHEREAS**, by Resolution 2022-94, dated March 7, 2022, the Borough of Leonia (“Borough”) authorized the construction of a new municipal building to house the Borough’s police department, municipal courtroom and council chambers, and court offices (the “Project”); and

**WHEREAS**, in accordance with New Jersey’s Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) the Borough solicited bids for the construction of the new municipal building pursuant to an open and competitive bidding process; and

**WHEREAS**, the contract was awarded per Resolution 2022-04 to GPC, Inc. for a contract price of \$7,298,000.00; and

**WHEREAS**, seventeen (17) previous work items were approved via Resolutions 2022-172, 2022-195, 2022-207, 2022-222, 2022-231, 2022-245, 2022-252, 2022-268 and 2022-272, and; bringing the new total contract price to \$7,613,989.59 (the “Contract Price”); and

**WHEREAS**, two (2) additional work items (change order) are necessary for the completion of the “Project” (the “Work Item):

	<b>Work Item</b>	<b>Change in Price</b>
Change Order 18	Provide 3/4” manufactured stone fill at the interior as requested by Owners LSRP	\$4,592.86
Change Order 19	Hardware and Hollow Metal Changes	\$13,611.95
<b>NEW TOTAL CONTRACT PRICE</b>		<b>\$7,632,194.40</b>

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-75**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey that the Borough hereby authorizes the Change Order to include the following Work Item in the Project, thereby modifying the total Contract Price in accordance to the schedule:

I, CAMERON KENG, CHIEF FINANCIAL OFFICER OF THE BOROUGH OF LEONIA, hereby certify that the funds will be available under:

ORD # 2021-08 MUNICIPAL BUILDING /Account# 1-04-55-2021-008

---

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

---

Trina Lindsey, RMC  
Borough Clerk

RECEIVED

JAN 30 2023

Initial: \_\_\_\_\_

# AIA Document G701™ – 2017

## Change Order

<b>PROJECT:</b> <i>(Name and address)</i> Leonia Police/Court Bldg. 1 Wood Park Leonia, NJ 07605	<b>CONTRACT INFORMATION:</b> Contract For: General Construction Date:	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 018 Date: January 26, 2023
<b>OWNER:</b> <i>(Name and address)</i> Borough of Leonia 312 Broad Avenue Leonia, NJ 07605	<b>ARCHITECT:</b> <i>(Name and address)</i> Arcari + Iovino Architects, P.C. One Katherine Street Little Ferry, NJ 07643	<b>CONTRACTOR:</b> <i>(Name and address)</i> GPC, Inc. 20 E. Willow Street Millburn, NJ 07041

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Provide 3/4" manufactured stone fill at the interior as requested by Owners LSRP (COR #23). Add \$4,592.86

The original Contract Sum was	\$	7,298,000.00
The net change by previously authorized Change Orders	\$	315,989.59
The Contract Sum prior to this Change Order was	\$	7,613,989.59
The Contract Sum will be increased by this Change Order in the amount of	\$	4,592.86
The new Contract Sum including this Change Order will be	\$	7,618,582.45

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Arcari + Iovino Architects, P.C.  
ARCHITECT *(Firm name)*

SIGNATURE

Anthony Iovino, President  
PRINTED NAME AND TITLE

DATE

1/26/2023

GPC, Inc.

CONTRACTOR *(Firm name)*

SIGNATURE

Brenda Grafas, President  
PRINTED NAME AND TITLE

DATE

Borough of Leonia

OWNER *(Firm name)*

SIGNATURE

Andrea Wardop, Borough Administrator  
PRINTED NAME AND TITLE

DATE

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# GPC, Inc.

20 East Willow Street ~ Millburn, NJ 07041  
Phone: 973-376-6116 ~ Fax: 973-376-0599  
Email: info@grafas.net

January 16, 2023

Arcari & Iovino  
One Katherine Street  
Little Ferry, NJ 07643

**Attention:** Anthony Iovino

**Re: Leonia Police / Court Building  
Project No. 2050b - COR #23  
1 Wood Park  
Leonia, NJ 07605**

Gentlemen:

As requested by the Owners LSRP from G7A, provide ¾" manufactured stone fill at the interior of the building in lieu of borrow fill to bring the existing grade elevation up to 10".

This was requested to insure there would be no issues with NJDEP and high risk the importation of offsite soils would bring to the site and on-going remediation.

Concrete Construction Corp. (attached):	\$ 4,175.33
GPC (OH&P @ 10%):	\$ 417.53
TOTAL:	\$ 4,592.86

NOTE: This change order is for material only as the trucking and placement was required by contract.

Very truly yours,

**GPC, Inc.**

By:   
Michael Glander

RMG/ah

Via Fax: 201-641-0626  
Phone: 201-64100600  
Email: [Aiovino@aiarchs.com](mailto:Aiovino@aiarchs.com)

- cc: Ralph Justo  
Arcari & Iovino  
[Rjusto@aiarchs.com](mailto:Rjusto@aiarchs.com)
- cc: John Brattoli  
CBRE, Inc.  
[John.brattoli@cbre.com](mailto:John.brattoli@cbre.com)
- cc: Aditya Gupta  
CBRE, Inc.  
[Aditya.Gupta@cbre.com](mailto:Aditya.Gupta@cbre.com)
- cc: Veronica Hernandez  
CBRE, Inc.  
[Veronia.Hernandez@cbre.com](mailto:Veronia.Hernandez@cbre.com)
- cc: Drew M. Di Sessa  
Pennoni & Associates  
[DDiSessa@pennoni.com](mailto:DDiSessa@pennoni.com)

**CONCRETE CONSTRUCTION CORPORATION**  
P.O. Box 4063 South Hackensack, NJ 07606  
Tel. (201) 342-4215 Fax (201) 342-7311

**EXTRA WORK ORDER**

JOB: Leonia Police Bldg.  
JOB NO: 20225

**Item Description: PI #13 - Clean stone for balance of backfill to subgrade inside building**      Date: 12/29/2022  
Rev.

**LABOR:**

Operator A	Hrs. @	\$108.42	\$0.00
Premium	Hrs. @	\$54.21	\$0.00
Operator B	Hrs. @	\$106.35	\$0.00
Premium	Hrs. @	\$53.18	\$0.00
Teamster/Driver	Hrs. @	\$84.00	\$0.00
Premium	Hrs. @	\$42.00	\$0.00
Foreman	Hrs. @	\$99.38	\$0.00
Premium	Hrs. @	\$49.69	\$0.00
Laborer	Hrs. @	\$95.15	\$0.00
Premium	Hrs. @	\$47.58	\$0.00

Subtotal = \$0.00

**EQUIPMENT:**

328 D CLR Excavator	Hrs. @	\$189.62	\$0.00
314C LCR Excavator	Hrs. @	\$102.33	\$0.00
924 Cat Loader	Hrs. @	\$80.09	\$0.00
430D/430E IT Backhoe	Hrs. @	\$73.42	\$0.00
450 J LGP Bulldozer	Hrs. @	\$77.69	\$0.00
Tandem Dump Truck	Hrs. @	\$109.97	\$0.00
Wacker Sheepfoot Roller	Hrs. @	\$44.61	\$0.00
Sakai SV540T Roller 10 Ton	Hrs. @	\$72.59	\$0.00
Pickup, GMC Van, Tools (traffic cones, signs)	Hrs. @	\$35.00	\$0.00

Subtotal = \$0.00

**SUBCONTRACTOR:**

3/4" clean stone	144.60	Tons @	\$25.00	\$3,615.00
		LS @		\$0.00

Subtotal = \$3,615.00

<b>Subtotal</b>	<b>\$3,615.00</b>
<b>Overhead (10%)</b>	<b>\$361.50</b>
<b>Subtotal</b>	<b>\$3,976.50</b>
<b>Profit (5%)</b>	<b>\$198.83</b>
<b>GRAND TOTAL=</b>	<b>\$4,175.33</b>



Product Name: Braen Stone  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 10426660

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 10426660

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 10426660

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 10426660

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product Name: Braen Stone  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042671

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042671

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042671

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042671

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product Name: Braen Stone  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042686

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042686

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042686

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511

Contractor: Delta Verby  
 Address: 227 First Lane, New  
 Haven, CT 06511

Product: 314  
 Quantity: 10000  
 Price: \$1.25  
 Total: \$12500

Date: 12/28/22  
 Time: 08:00  
 Project: 1042686

Client: Stone Industries Inc.  
 Address: 227 First Lane, New  
 Haven, CT 06511





Product: 314  
 3/4" CRUSHED STONE  
 1042894

Product: 314  
 3/4" CRUSHED STONE  
 1042739

Product: 314  
 3/4" CRUSHED STONE  
 1042755

Order: 12/01/22  
 Date: 08/04  
 Customer: DEELIVERY  
 227 Fort Lee Blvd  
 Fort Lee, NJ  
 07024

Order: 12/01/22  
 Date: 08/02  
 Customer: DEELIVERY  
 227 Fort Lee Blvd  
 Fort Lee, NJ  
 07024

Order: 12/01/22  
 Date: 08/01  
 Customer: DEELIVERY  
 227 Fort Lee Blvd  
 Fort Lee, NJ  
 07024

Quantity: 4  
 Units: 89.14 cu yd  
 Net Weight: 14,291,000 lbs  
 Gross Weight: 14,291,000 lbs

Quantity: 5  
 Units: 104.17 cu yd  
 Net Weight: 14,291,000 lbs  
 Gross Weight: 14,291,000 lbs

Quantity: 10  
 Units: 214.28 cu yd  
 Net Weight: 14,291,000 lbs  
 Gross Weight: 14,291,000 lbs

119078 Stone  
 119078 Stone

119078 Stone  
 119078 Stone

119078 Stone  
 119078 Stone

Below is the response from the Borough's LSRP. The fill is unacceptable. They recommend certified quarry processed clean fill. Please submit an alternate fill material for review. Thanks.

**Drew M. Di Sessa, PE, PP, CME**

Associate Vice President, Office Director

**Pennoni**

24 Commerce St, Suite 300 | Newark, NJ 07102

**Direct:** +1 (973) 265-9759 | **Mobile:** +1 (732) 215-2235

[www.pennoni.com](http://www.pennoni.com) | [DDiSessa@Pennoni.com](mailto:DDiSessa@Pennoni.com)

**From:** Mary Kay Morelli <[MaryKay.Morelli@gza.com](mailto:MaryKay.Morelli@gza.com)>

**Sent:** Thursday, December 15, 2022 3:46 PM

**To:** Drew M. Di Sessa <[DDiSessa@Pennoni.com](mailto:DDiSessa@Pennoni.com)>

**Cc:** Kristen English <[Kristen.English@gza.com](mailto:Kristen.English@gza.com)>; Mary Kay Morelli <[MaryKay.Morelli@gza.com](mailto:MaryKay.Morelli@gza.com)>

**Subject:** Fill Materials

Drew,

Thank you for providing the Clean Fill facilities and affiliated data. Lots of questions regarding sampling and source materials however, it is important to note that a Preliminary Assessment was conducted on this Site to ultimately issue a Site-Wide Response Action Outcome.

To date soil has been remediated to meet the NJDEP most stringent soil remediation standards without the use of any compliance options. The data provided by the two facilities (IRRC General Fill Data Package and Paterson Clean Fill) does not meet the same standards as certified quarry processed fill material but rather falls within the 'Alternative Fill' category. In order for the clean fill material (attached) to meet NJDEP Soil Remediation Standards (SRS), Synthetic Precipitation Leaching Procedure (SPLP) was conducted meaning, soil samples were above the NJDEP SRS; however, passed the SPLP test. Considering that extensive soil remediation has already been conducted to clean the soils up, the risk involved in taking on soils from multiple unknown sources is high and based upon the fact these materials will be placed beneath the buildings slab, we recommend certified quarry processed clean fill material. The import of alternative fill will add an additional level of scrutiny on the property by the NJDEP during project review and possibly require additional testing of soils under building (it's a low risk but it is still there). Again, this could easily be remedied with the use of certified virgin quarry process fill.

Let me know if you have any questions.

Mary Kay

**Mary Kay Morelli, LSRP**

**Vice President**

GZA | 55 Lane Road | Fairfield, New Jersey 07004

o: 973.774.3339 | c: 973.615.8233 | f: 973.774.3350 |

[marykay.morelli@gza.com](mailto:marykay.morelli@gza.com) | [www.gza.com](http://www.gza.com) | [LinkedIn](#)

GEOTECHNICAL | ENVIRONMENTAL | ECOLOGICAL | WATER | CONSTRUCTION MANAGEMENT

Known for excellence. Built on trust.

## Mike Glander

---

**From:** Mike Glander <mike@grafas.net>  
**Sent:** Monday, December 19, 2022 2:42 PM  
**To:** 'Joe Farrell'  
**Cc:** 'brian@grafas.net'  
**Subject:** RE: Leonia Fill

Proceed with ¾" stone at \$25/ton for the Grade to under stone.  
Thanks

**From:** Joe Farrell <Joe@concreteconstructioncorp.com>  
**Sent:** Monday, December 19, 2022 11:51 AM  
**To:** Mike Glander <mike@grafas.net>  
**Subject:** RE: Leonia Fill

Mike

If we have to bring in virgin DGA the cost would be \$30/ton or \$720 per load.  
We are thinking we need 6 loads. Total looking at approx.. \$ 4500

The other material submitted would be trucked to the site for FREE.

### Joseph Farrell

Chief Operating Officer  
Concrete Construction Corp.

*70 Year Anniversary!*  
Tel. 201-342-4215

**From:** Mike Glander <mike@grafas.net>  
**Sent:** Monday, December 19, 2022 11:33 AM  
**To:** Joe Farrell <Joe@concreteconstructioncorp.com>  
**Subject:** FW: Leonia Fill

**From:** Drew M. Di Sessa <DDiSessa@Pennoni.com>  
**Sent:** Monday, December 19, 2022 11:02 AM  
**To:** [mike@grafas.net](mailto:mike@grafas.net)  
**Cc:** Ralph Justo <[rjusto@aiarchs.com](mailto:rjusto@aiarchs.com)>; Brattoli, John @ Saddle Brook <[John.Brattoli@cbre.com](mailto:John.Brattoli@cbre.com)>;  
[aiovino@aiarchs.com](mailto:aiovino@aiarchs.com)  
**Subject:** Leonia Fill

Mike,

RECEIVED

JAN 30 2023

Initial: \_\_\_\_\_

# AIA® Document G701™ – 2017

## Change Order

<b>PROJECT:</b> <i>(Name and address)</i> Leonia Police/Court Bldg. 1 Wood Park Leonia, NJ 07605	<b>CONTRACT INFORMATION:</b> Contract For: General Construction Date:	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 019 Date: January 30, 2023
<b>OWNER:</b> <i>(Name and address)</i> Borough of Leonia 312 Broad Avenue Leonia, NJ 07605	<b>ARCHITECT:</b> <i>(Name and address)</i> Arcari + Iovino Architects, P.C. One Katherine Street Little Ferry, NJ 07643	<b>CONTRACTOR:</b> <i>(Name and address)</i> GPC, Inc. 20 E. Willow Street Millburn, NJ 07041

**THE CONTRACT IS CHANGED AS FOLLOWS:**  
*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Hardware and Hollow Metal Changes (COR #21). Add 13,611.95

The original Contract Sum was	\$ 7,298,000.00
The net change by previously authorized Change Orders	\$ 320,582.45
The Contract Sum prior to this Change Order was	\$ 7,618,582.45
The Contract Sum will be increased by this Change Order in the amount of	\$ 13,611.95
The new Contract Sum including this Change Order will be	\$ 7,632,194.40

The Contract Time will be unchanged by Zero (0) days.  
The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

<u>Arcari + Iovino Architects, P.C.</u> ARCHITECT <i>(Firm name)</i>	<u>GPC, Inc.</u> CONTRACTOR <i>(Firm name)</i>	<u>Borough of Leonia</u> OWNER <i>(Firm name)</i>
 SIGNATURE	 SIGNATURE	 SIGNATURE
<u>Anthony Iovino, President</u> PRINTED NAME AND TITLE	<u>Brenda Grafias, President</u> PRINTED NAME AND TITLE	<u>Andrea Wardop, Borough Administrator</u> PRINTED NAME AND TITLE
<u>1/30/2023</u> DATE	<u>01/30/23</u> DATE	 DATE

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# GPC, Inc.

20 East Willow Street ~ Millburn, NJ 07041  
Phone: 973-376-6116 ~ Fax: 973-376-0599  
Email: info@grafas.net

December 19, 2022

Arcari & Iovino  
One Katherine Street  
Little Ferry, NJ 07643

**Attention:** Anthony Iovino

**Re: Leonia Police / Court Building  
Project No. 2050b - COR #21  
1 Wood Park  
Leonia, NJ 07605**

Gentlemen:

Hardware and Hollow Metal changes based on the returned submittal schedules dated 06/24/22.

Unified Material:	\$ 2,068.00
Labor:	N/C
Hardware & Hollow Metal Changes based on the final approved submittal schedules.	
Unified Material:	\$ 9,529.00
Labor:	
Overhead Stops (2pc @ 1 ½ hr @ \$125.00):	\$ 375.00
DPS (5pc @ ½ hr @ \$125.00):	\$ 312.50
Elec Strikes (5pc @ 2hr @ \$125.00):	\$ 1,250.00
Closer (2pc @ 2hr @ \$125.00):	\$ 500.00
Gasketing (2 sets @ ½ hr @ \$125.00):	\$ 125.00
Less: Material for Elevator Room Door:	<u>(\$ 1,785.00)</u>
SUB-TOTAL:	\$ 12,374.50
GPC (OH&P @ 10%):	\$ 1,237.45
TOTAL:	\$ 13,611.95

NOTE: Veneer changes to doors are still pending owner selection and not part of this change. Door order at this time is on hold.

Very truly yours,

**GPC, Inc.**

By: R. Michael Glander

RMG/ah  
Via Fax: 201-641-0626  
Phone: 201-64100600  
Email: [Aiovino@aiaarchs.com](mailto:Aiovino@aiaarchs.com)  
cc: [Rjusto@aiarchs.com](mailto:Rjusto@aiarchs.com)  
Ralph Justo  
Arcari & Iovino  
cc: [John.brattoli@cbre.com](mailto:John.brattoli@cbre.com)  
John Brattoli  
CBRE, Inc.  
cc: [Aditya.Gupta@cbre.com](mailto:Aditya.Gupta@cbre.com)  
Aditya Gupta  
CBRE, Inc.  
cc: [Veronica.Hernandez@cbre.com](mailto:Veronica.Hernandez@cbre.com)  
Veronica Hernandez  
CBRE, Inc.  
cc: [DDiSessa@pennoni.com](mailto:DDiSessa@pennoni.com)  
Drew M. Di Sessa  
Pennoni & Associates



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 1650 Suckle Highway · Pennsauken, NJ 08110  
 PH. 856-488-8843 · FAX. 856-665-7239

Change Order

CO001

Contractors Change Order #

<b>PROJECT:</b> LEONIA POLICE - COURT BLDG	<b>DATE:</b> 11/01/2022
<b>PROJECT #:</b> HS7264	<b>TO:</b> GPC Construction
<b>CONTRACT DATE:</b> 7/26/2022	
<b>CONTRACT FOR:</b> Division 8	
	<b>ATTN:</b> MIKE GLANDER
	<b>PHONE #:</b>
<b>PER CHANGE:</b> Returned Submittals Dated 06/24/22.	<b>EMAIL:</b> MIKE@GRAFAS.NET

**PENDING APPROVAL, YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN THIS CONTRACT**  
 SEE PAGE NUMBER 2 FOR ITEMIZED MATERIAL LIST

<b>CHANGE ORDER STATUS</b>	<b>MATERIAL COST:</b> \$1,528.00
	<b>ENGINEERING:</b> \$540.00
	<b>FREIGHT:</b> \$0.00
<b>PRICE ONLY</b>	<b>TAX:</b> \$0.00
<b>Please issue Official notification if we are to proceed. Expires in 30 days or prices are subject to change.</b>	<b>LABOR:</b> \$0.00
	<b>BOND:</b> \$0.00
	<b>TOTAL CHANGE:</b> \$2,068.00
<p>Any changes to the contract documents that are NOT clearly identified will not be included, nor will it be the responsibility of this supplier to identify any such un-marked changes (i.e. changes not clouded on drawings, text that is not in bold, or items not included in the narrative, etc.). Unified Door &amp; Hardware Group, LLC will not be liable for any cost impacts to the project due to specific changes NOT identified on the contract documents. All such un-marked changes identified after-the-fact, will be subject to additional costs. Items that are in fabrication cannot be changed or canceled and items already received cannot be returned.</p>	
<b>NOT VALID UNLESS SIGNED BY THE CONTRACTOR AND RETURNED</b>	
<b>AUTHORIZED BY:</b> Halpern & Sons	<b>ACCEPTED BY:</b> GPC Construction
<b>DATE:</b> 11/01/2022	<b>DATE:</b>
<b>NAME:</b> Douglas Lesko	<b>SIGNATURE:</b>
<p><b>STANDARD EXCLUSIONS:</b> Unless specifically included under the above descriptions, we exclude glass, glazing; provisions for concealed closers or holders or stops; drilling and tapping for anchor hinges, drilling and tapping for surface applied hardware, drilling and tapping for top and bottom pivots or floor closers; field assembly of shipping splices, erection or installation; rough or finish hardware, saddles or weather-stripping; channel or structural steel frames or frame reinforcing members; field measuring, crating or boxing; protection after delivery; "touching-up"; clean-up; stainless steel; all field work; field painting; finish painting; lead; all sales, use or similar taxes. Only the section or division or the specifications, the architectural drawings, the addenda, bulletins and alternates stated herein are included in this proposal. Labeled materials within manufacturers limitations otherwise labeled construction.</p> <p>This proposal is not binding upon us until executed by an officer, or duly authorized representative, of our company. This proposal may not be changed by any acknowledgment, acceptance, confirmation or purchase order, etc. unless such change has been agreed in writing by us. No sales representative has authority to enter into a contract on our behalf or to change the terms and conditions of this proposal.</p>	



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Change Order

CO001

Contractors Change Order #

<b>PROJECT:</b> LEONIA POLICE -COURT BLDG	<b>DATE:</b> 11/01/2022
<b>PROJECT #:</b> HS7264	<b>TO:</b> GPC Construction
<b>CONTRACT DATE:</b> 7/26/2022	
<b>CONTRACT FOR:</b> Division 8	
	<b>ATTN:</b> MIKE GLANDER
	<b>PHONE #:</b>
<b>PER CHANGE:</b> Returned Submittals Dated 06/24/22.	<b>EMAIL:</b> MIKE@GRAFAS.NET

MATERIAL	QUANTITY	UNIT VALUE	EXTD VALUE
SEE BELOW COSTS FOR CHANGES MADE UNDER THE 06.24.22 RETURNED SUBMITTALS	0		
Tag #102B - Aluminum Frame changed to Hollow Metal.	1	\$431.68	\$431.70
Tag #215A - Aluminum Frame changed to Hollow Metal.	1	\$460.49	\$460.50
Tag #215B - Aluminum Frame changed to Hollow Metal.	1	\$345.35	\$345.30
HM Manufacturers current 40% surcharge for raw materials	1	\$495.00	\$495.00
Freight for added frames weight & volume	1	\$150.00	\$150.00
Tag #117A - HM Door Elevation A changed to Elevation I.	1	\$396.50	\$396.50
Tag #127C - Wood Door changed to Hollow Metal.	-1	-\$237.15	-\$237.10
Tag #'s 120B, 107A, 111A, 112A, 109A, 110A, 121A, 125B, 113A, 119A, 120A, 127A - SPDT Momentary Pushbutton has been Deleted.	-12	-\$35.91	-\$430.90
Tag #'s 202A, 203A - Lockset ND80 ATH has changed to Deadlock B563.	-2	-\$41.48	-\$83.00
Engineering/Direct Cost: Project Management, Estimating & Engineering	4	\$135.00	\$540.00



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Change Order

CO002

Contractors Change Order #

<b>PROJECT:</b> LEONIA POLICE -COURT BLDG <b>PROJECT #:</b> HS7264 <b>CONTRACT DATE:</b> 9/7/2022 <b>CONTRACT FOR:</b> Division 8  <b>PER CHANGE:</b> Returned D/F/H Submittal Dated 09/01/22.	<b>DATE:</b> 11/02/2022 <b>TO:</b> GPC Construction  <b>ATTN:</b> MIKE GLANDER <b>PHONE #:</b> <b>EMAIL:</b> MIKE@GRAFAS.NET
---	---

MATERIAL	QUANTITY	UNIT VALUE	EXTD VALUE
TAG # NAMED "ELEV." has been Added to the Project - HM Frame/WD Door/Hardware Set 36.	0		
TAG # NAMED "ELEV." ADDED HM FRAME	1		
HM Manufacturers current 40% surcharge for raw materials	1	\$138.60	\$138.60
TAG # NAMES "ELEV." ADDED WOOD DOOR	1	\$1,016.40	\$1,016.40
TAG # NAMED "ELEV." ADDED HARDWARE SET 36	1	\$630.00	\$630.00
Tag #'s 114A, 212A, 204A, 205A & 206A - Add Electric Strike - 6211-EB 24VAC 630.	5	\$920.00	\$4,600.00
ADDITIONAL FRAME PREPERATION COST FOR THE ADDITION OF ELECTRIC STRIKES	5	\$50.00	\$250.00
Tag #'s 114A, 212A, 204A, 205A & 206A - Add Door Position Switch - 180-12.	5	\$35.00	\$175.00
DOOR & FRAME PREP CHARGES MATCHING THE ADDITION OF DPS SWITCH'S @ TAG #'S 114A, 212A, 204A, 205A	4		
Tag #'s 106D & 106E - Add Overhead Stop - 904S 652.	2	\$244.00	\$488.00
DOOR FRAME PREP/REINFORCEMENT COST NEEDED FOR THE ADDITION OF OVERHEAD STOPS AT TAG 106D & 106E	2		
Tag #'s 116B & 117A - Standard Weight Hinges (5BB1) changed to Heavy Weight (5BB1HW). COST INCLUDES MATERIAL COST DIFFERENCE AND THE DOOR & FRAME PREP COST DIFFERENCES	6	\$40.00	\$240.00
Tag #'s 123A, 124A - Add Closer - 4050A EDA 689.	2	\$435.50	\$871.00
DOOR FRAME REINFORCEMENT NEEDED FOR THE ADDITION OF DOOR CLOSERS ARMS AT TAG 123A & 124A	2		
Tag #'s 210A & 210B - Add Gasketing - 488S-BK 240.	2	\$39.90	\$79.80
Freight for added weight & volume	1	\$500.00	\$500.00
Engineering/Direct Cost: Project Management, Estimating & Engineering	4	\$135.00	\$540.00





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Change Order

CO002

Contractors Change Order #

<b>PROJECT:</b> LEONIA POLICE -COURT BLDG	<b>DATE:</b> 11/02/2022
<b>PROJECT #:</b> HS7264	<b>TO:</b> GPC Construction
<b>CONTRACT DATE:</b> 9/7/2022	
<b>CONTRACT FOR:</b> Division 8	
	<b>ATTN:</b> MIKE GLANDER
	<b>PHONE #:</b>
<b>PER CHANGE:</b> Returned D/F/H Submittal Dated 09/01/22.	<b>EMAIL:</b> MIKE@GRAFAS.NET

**YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN THIS CONTRACT**  
 SEE PAGE NUMBER 2 FOR ITEMIZED MATERIAL LIST

<b>CHANGE ORDER STATUS</b>	<b>MATERIAL COST:</b> \$8,488.80
<b>PROCEED</b>	<b>ENGINEERING:</b> \$540.00
<b>We have proceeded and incorporated the above scope into the project. Please issue an official Change Order.</b>	<b>FREIGHT:</b> \$500.00
	<b>TAX:</b> \$0.00
	<b>LABOR:</b> \$0.00
	<b>BOND:</b> \$0.00
	<b>TOTAL CHANGE:</b> \$9,529.00
<p>Any changes to the contract documents that are NOT clearly identified will not be included, nor will it be the responsibility of this supplier to identify any such un-marked changes (i.e. changes not clouded on drawings, text that is not in bold, or items not included in the narrative, etc.). Unified Door &amp; Hardware Group, LLC will not be liable for any cost impacts to the project due to specific changes NOT identified on the contract documents. All such un-marked changes identified after-the-fact, will be subject to additional costs. Items that are in fabrication cannot be changed or canceled and items already received cannot be returned.</p>	
<b>NOT VALID UNLESS SIGNED BY THE CONTRACTOR AND RETURNED</b>	
<b>AUTHORIZED BY:</b> Halpern & Sons  <b>DATE:</b> 11/02/2022  <b>NAME:</b> Douglas Lesko	<b>ACCEPTED BY:</b> GPC Construction  <b>DATE:</b>  <b>SIGNATURE:</b>
<p><b>STANDARD EXCLUSIONS:</b> Unless specifically included under the above descriptions, we exclude glass, glazing; provisions for concealed closers or holders or stops; drilling and tapping for anchor hinges, drilling and tapping for surface applied hardware, drilling and tapping for top and bottom pivots or floor closers; field assembly of shipping splices, erection or installation; rough or finish hardware, saddles or weather-stripping; channel or structural steel frames or frame reinforcing members; field measuring; crating or boxing; protection after delivery; "touching-up"; clean-up; stainless steel; all field work; field painting; finish painting; lead; all sales, use or similar taxes. Only the section or division or the specifications, the architectural drawings, the addenda, bulletins and alternates stated herein are included in this proposal. Labeled materials within manufacturers limitations otherwise labeled construction.</p> <p>This proposal is not binding upon us until executed by an officer, or duly authorized representative, of our company. This proposal may not be changed by any acknowledgment, acceptance, confirmation or purchase order, etc. unless such change has been agreed in writing by us. No sales representative has authority to enter into a contract on our behalf or to change the terms and conditions of this proposal.</p>	

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-76**

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Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**AUTHORIZE HIRE OF SUBSTITUTE SCHOOL CROSSING GUARD**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-154.1, the Governing Body may appoint adult School Crossing Guards for terms not exceeding one (1) year; and

**WHEREAS**, Chief of Police Scott Tamagny has recommended that Janet Spitaletto be appointed as a Substitute School Crossing Guard for the 2022-2023 school year.

**WHEREAS**, Janet Spitaletto has completed a successful background check conducted by the Leonia Police Department.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia that Janet Spitaletto be appointed as a Substitute School Crossing Guard for the 2022-2023 school year at a rate of \$15.00 per hour.

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

\_\_\_\_\_  
Trina Lindsey, RMC  
Borough Clerk



To: Borough of Leonia

Date: February 1, 2023

Subject: Ramadan Celebration request at February 2023 Council Meeting

Dear Honorable Mayor Zeigler and Honorable Members of the Council,

We recognize that Diversity, Equity and Inclusion is important to you as leaders of diverse communities and to our town. It is in this spirit that we would like to share with you that Ramadan begins on March 22<sup>nd</sup> and ends April 21<sup>st</sup>.

Ramadan is the ninth month of the Islamic calendar. It is a month of fasting, patience, prayer, reflection, charity, forgiveness, community service and ends with a grand celebration (Eid Al Fitr). Muslims fast for 30 days, abstaining from all food and drink, from sunrise to sunset. The daily breaking of fast at sunset is called Iftar. There are many iftar events throughout Ramadan. Ramadan dates change every year as it is based on the lunar calendar.

This year, several municipalities across Bergen County, including neighboring Teaneck and Ridgefield Park, will be displaying a crescent lighting. It is a cultural display symbolic of the month that 2 billion Muslims celebrate across the world. We would like to underscore that the crescent is **NOT** a religious symbol but a cultural symbol. It is similar to the way that the Borough of Leonia displays a lighted holiday tree to welcome Christmas.

We plan to make an official request at the February council meeting and look forward to having Leonia join several towns across Bergen County celebrating the beginning of Ramadan with beautiful displays. Thank you for championing inclusivity and we look forward to celebrating Ramadan with you annually.

Sincerely,

Hashir Qazi  
Cell : (347) 977-1426  
Email: hashir.aq@gmail.com

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-77**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**CLOSED SESSION**

**BE IT RESOLVED** in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Leonia entered into Closed Executive Session to discuss the following matters:

- A. Litigation Tax Appeal

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

\_\_\_\_\_  
Trina Lindsey, RMC  
Borough Clerk

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-78**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Grandelis</b>						
<b>Davis</b>						
<b>Fusco</b>						
<b>Hesterbrink</b>						
<b>Terrell</b>						
<b>Ziegler</b>						
<b>Mayor Zeigler</b>	---	---				

**RESOLUTION OF THE BOROUGH OF LEONIA AUTHORIZING THE TAX APPEAL ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FINALIZE SETTLEMENT OF TAX APPEALS ENTITLED “AMBROSE DC ASSESTS, LLC v. BOROUGH OF LEONIA”**

**WHEREAS**, Ambrose DC Assets, LLC is the owner and/or taxpayer of property located at Block 503, Lot 2 also known as 2 Christie Heights Street, Leonia, New Jersey (the “Property”) for tax years 2019, 2020, 2021 and 2022; and

**WHEREAS**, taxpayer has filed property tax appeals against the Borough of Leonia for tax years 2019, 2020, 2021 and 2022 in matters entitled Ambrose DC Assets, LLC v. Borough of Leonia, all of which are presently pending in the Tax Court of New Jersey; and

**WHEREAS**, it has been recommended by the Tax Appeal Attorney and the Borough Assessor that the matters be settled at this time, and that such settlement is in the best interests of the Borough;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Leonia that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of the matters entitled Ambrose DC Assets, LLC v. Borough of Leonia, so that for the tax year 2019 the assessment of \$10,200,000 will remain the same; and for the tax year 2020 the assessment of \$10,200,000 will be reduced to \$9,750,000; for the tax year 2021 the assessment of \$10,200,000 will be reduced to \$9,500,000; and for tax year 2022 the assessment of \$10,200,000 will be reduced to \$9,250,000; resulting in a tax credit of \$66,560, which shall be applied toward the next quarter tax bills due and owing after the issuance of the Tax Court Judgment; and

**BE IT FURTHER RESOLVED**, that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the tax credit is applied toward the next quarter tax bill due after the issuance of the Tax Court Judgment; and

**BOROUGH OF LEONIA  
BERGEN COUNTY, NEW JERSEY**

**Date: February 6, 2023**

**RESOLUTION NO. 2023-78**

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall keep a copy of this Resolution on file and available for inspection in the office of the Borough Clerk and shall forward a copy of this Resolution to the Mayor; Business Administrator; Borough Attorney and Borough Tax Assessor.

Attest:

Borough of Leonia

\_\_\_\_\_  
Trina Lindsey, Borough Clerk

By: \_\_\_\_\_  
Judah Zeigler, Mayor

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I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on February 6, 2023.

\_\_\_\_\_  
Trina Lindsey, RMC  
Borough Clerk