



BOROUGH OF LEONIA

COUNCIL- Work Session
~ Minutes ~

Anne Dodd, Borough Clerk

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

April 20, 2020

7:30 pm

Leonia Borough Hall - Virtually

A Work Session Meeting of the Mayor and Council of the Borough of Leonia was held virtually via GoToMeeting in the Leonia Borough Hall at 312 Broad Avenue, Leonia, NJ on April 20, 2020. The meeting was called to order at 7:30 p.m. by Mayor Judah Zeigler.

Mayor Zeigler read the following statement into the record: "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 Meeting, are posted on the public bulletin board in Borough Hall, published in the Record within the first 10 days of the New Year, and copies are sent to the Star Ledger. Notice of this virtual meeting by the April 17, 2020 Sunshine Notice containing the time, date, and information on how to access this meeting was sent to the Record, Star Ledger and has been posted at Borough Hall and on the Borough website."

PRESENT: Mayor Judah Zeigler and Councilmembers Pasquale Fusco, Maureen Davis, Bernadette Flaim, Louis Grandelis, Joanne Terrell and William Ziegler

ABSENT: None

ALSO PRESENT: Borough Attorney Brian Chewcaskie
Borough Administrator Andrea Wardrop
Borough Auditor Ralph Piccone
Borough Clerk Anne Dodd
Chief Financial Officer Sheryl Luna

Public Comment

Karen Peters, 142 Park Avenue, advised that construction is taking place that she does not believe is permitted under the executive order. She further advised that social distancing protocols were not being followed at the construction site.

Mayor Zeigler explained that construction which began prior to the executive order going into effect is permitted. He commented that this executive order is a source of frustration for mayors and appointed officials as there are so many exceptions. He confirmed that masks must be worn and social distancing must be observed.

Mike DeGidio, 408 Grand Avenue, expressed support for Resolution #2020-110 which waives the interest on tax payments and suggested that a sunset clause be included.

Mayor Zeigler advised that, by Statute, all resolutions expire at the end of the calendar year in which they are adopted.

Adoption of Ordinances

Ordinance 2020-09

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on March 23, 2020 and posted on the bulletin board of the municipal building.

ORD. 2020-09 - CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)

Ralph Piccone, Borough Auditor, explained that this ordinance is standard and is adopted by most municipalities annually. The State has a predetermined percentage that the budget inside the cap can increase each year which is 2.5% this year. The COLA Ordinance allows the municipality to increase the allowable budget by an additional 1%. He noted that adopting this ordinance does not mean that the budget is increasing by that amount as the amount goes into a cap bank for future use should it be needed. Cap banking is available for two years and then drops off if it is not utilized.

Motion by Councilwoman Davis, second by Council President Fusco, to remove Ordinance 2020-09 from the table.

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

Council President Fusco:	aye	Councilman Grandelis:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilwoman Flaim:	aye	Councilman Ziegler:	aye

Public Comments on Ordinance 2020-09

None.

Motion by Councilwoman Flaim, second by Councilman Ziegler, that Ordinance 2020-09 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

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

Council President Fusco:	aye	Councilman Grandelis:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilwoman Flaim:	aye	Councilman Ziegler:	aye

Non-Consent Resolutions**RES. 2020-109 Introduce 2020 Municipal Budget**[2020-109 Introduce 2020 Budget.pdf](#)[2020 Budget Advertisement.pdf](#)[Borough of Leonia 2020 Budget for Introduction.pdf](#)

Mayor Zeigler advised that this budget has gone through a significant number of iterations. He explained that the introduction was delayed for a month in light of the current situation to ensure that the introduced budget is reflective of the Borough's needs while being as fiscally prudent as possible. He recognized the Borough Administrator, CFO, Borough Auditor, Finance & Human Resources Committee members, and Department Heads who have spent a great deal of time and effort in the budget process.

Borough Administrator Wardrop noted that the budget was carefully examined to ensure that the leanest budget was being brought forward while offering the same level of services.

Borough Auditor Piccone advised that the 2020 budget is approximately \$1,300 more than the 2019 adopted budget, and as such, is essentially a flat budget. The tax levy for municipal purposes is approximately \$212,000 more than the 2019 budget which results in an approximate increase of \$64 to the average home assessed at \$435,000. He explained that the primary reason for the increase in taxes is due to a decrease in surplus utilization of \$250,000 as it is projected that surplus regeneration will be reduced by this amount in 2020. Borough Auditor Piccone expressed his opinion this budget is responsible and remarked that a lot of thought and time went into its preparation.

Mayor Zeigler noted that, on the Municipal Data sheet, Councilman Grandelis' term expiration date should be revised to this year's General Election date and an "e" should be added to the Borough Attorney's last name.

Motion by Councilwoman Flaim, second by Councilman Ziegler, that Resolution #2020-109 be approved.

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

Council President Fusco:	aye	Councilman Grandelis:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilwoman Flaim:	aye	Councilman Ziegler:	aye

RES. 2020-110 Amend Rate of Interest for Delinquent Taxes[2020-110 Amend Rate of Interest for Delinquent Taxes.pdf](#)

Mayor Zeigler explained that he has received numerous requests from residents for assistance during these unchartered economic times. He advised that the local government is permitted to reduce the interest rate for delinquent taxes. He noted that he had a lengthy discussion with the Borough Administrator, CFO, and Tax Collector regarding this issue and concerns were raised that there would be no incentive for people to pay their taxes. In order to address this concern, the CFO and Tax Collector will closely monitor the tax collection ratio, and if abuse is detected, the interest rate will be revisited. He explained that approximately 65% of taxes paid are paid by mortgage companies or banks and it is likely that they will continue to pay the taxes as they do not want to forfeit their first right to foreclose on a home. This resolution will expire at the end of this year and the interest rate

will again be fixed at the first meeting in 2021 at which time it can be set at the normal rate or a lower rate if economic times dictate such.

Councilman Ziegler commended Mayor Zeigler on this initiative. He expressed that although he raised the same concern regarding abuse, he feels comfortable that the situation will be monitored closely. He expressed his opinion that this program should not be widely publicized.

CFO Luna explained that the municipality does need to notify the taxpayers by printing on every tax bill the Borough's policy for interest. She noted that taxpayers who were previously delinquent will still be accruing the same interest that they were previously.

Motion by Council President Fusco, second by Councilwoman Flaim, that Resolution #2020-110 be approved.

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

Council President Fusco:	aye	Councilman Grandelis:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilwoman Flaim:	aye	Councilman Ziegler:	aye

Consent Resolutions

- A. RES. 2020-111 Authorize Bill List
[2020-111 Bill List.pdf](#)
[Bill List 04202020.pdf](#)
- B. RES. 2020-112 Award Contract - Broad Avenue Road Improvements Section 7 & 8
[2020-112 Award Bid - Broad Ave Road Improvements Sections 7-8 Project.pdf](#)

Motion by Councilwoman Davis, second by Councilman Grandelis, that the Consent Agenda be approved.

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

Council President Fusco:	aye	Councilman Grandelis:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilwoman Flaim:	aye	Councilman Ziegler:	aye

All members present voting in favor, the Consent Agenda was approved.

Unfinished Business:

COVID-19 Pandemic

Mayor Zeigler advised that there are now 100 cases of COVID-19 in the Borough and both patients who were hospitalized have been released. The Borough remains at five fatalities. Mayor Zeigler noted that he included 7-day trailing average charts in his Nixle message this evening which show that there is a downward trend in both Bergen County and Leonia. He called on all residents to stay home unless for essential purposes, observe social distancing and wear masks and gloves when visiting essential businesses. He recognized Councilwoman Terrell and Councilman Ziegler who continue to oversee the Leonia Cares Program. He also commended Councilwoman Davis for her work in ensuring that the residents in the senior retirement complex are getting meals, noting that there was a need to extend the quarantine

lockdown due to a second case. Expenses related to this crisis are being tracked for reimbursement by FEMA. He explained that federal aid continues to be his biggest source of concern as it does not appear that funds will flow through to municipalities as was intended. He advised that he has provided draft legislation to Leonia's legislative delegation for consideration that would restrict money coming into the State.

2020 Census

Mayor Zeigler reminded residents that the 2020 Census should be completed. As of today, 62.7% of residents have completed the Census.

Councilwoman Terrell advised that a meeting was held with the Borough Administrator, Borough Clerk, Dr. Bertolini, and Diane Tausner on Friday and it was established that the student-facilitated volunteer effort would not be a viable option. Communication efforts were discussed as well as having adult volunteers man phones to provide resident assistance.

With respect to Leonia Cares, Councilwoman Terrell advised that 100 residents have volunteered to be Block Captains who serve as a touch point for residents on their street, assisting with tasks such as grocery shopping and prescription pick up.

Councilman Ziegler advised that about 85 to 90% of residences are covered through this program.

Councilwoman Davis requested that residents who are interested in becoming a Block Captain for an apartment building reach out to the governing body.

Councilwoman Terrell recognized Councilman Grandelis who has volunteered to be a Block Captain. She encouraged additional residents to volunteer as COVID-19 may last for months and there will need to be a succession plan should volunteers become sick.

Councilman Ziegler noted that the last virtual meeting recording has not been posted to the Borough website. Mayor Zeigler advised that there may have been a glitch with the last recording and he is working to resolve the issue so that it can be posted.

Council President Fusco announced that the Planning Board meeting for this month has been canceled.

New Business:

Ordinance to Amend 123-16 Fees: Property Maintenance Inspection Certification - Councilwoman Terrell

Ordinance to Amend Chapter 136 - Fire Prevention - Councilwoman Terrell

Ordinance to Amend Chapter 212 "Property Maintenance" - Councilwoman Terrell

Councilwoman Terrell explained that the ordinances listed for consideration are revisiting the fees which already exist in the Borough Code. She advised that the reason for the increase in the fees is to ensure that a property is ready for the inspection at the time that it is scheduled. She commented that these ordinances are being brought forward at the request of the Building Department and Fire Marshal and will bring the fees in line with what is being charged by other municipalities.

Borough Attorney Chewcaskie explained that these three ordinances are to be reviewed together. With respect to the third ordinance, he noted that it has four distinctive parts. The first part is to require the inspection of all properties in which there is a tenant. The second part is to update the minimum floor area per occupant to current code. The third part amends the points in time that both residential and commercial properties are to be inspected with certain exemptions. The last component is to bring the Property Maintenance Code current by repealing the BOCA National Property Maintenance Code and adopting the International Property Maintenance Code 2018 as a supplement to Chapter 212 of the Borough Code. He noted that this code is the standard code that is being utilized.

Councilman Ziegler inquired if there is a document that highlights the differences between the BOCA National Property Maintenance Code and the International Property Maintenance Code.

Borough Attorney Chewcaskie responded that he does not believe that there is a specific document but noted that the BOCA code is outdated and the International Property Maintenance Code is a model code that regulates the minimum standards for building maintenance requirements. He further noted that the Borough has been utilizing the International Property Maintenance Code for the past 10 years.

Mayor Zeigler suggested that members of the governing body review the current property maintenance code, identify what must be included, and ensure that those items are included in the International Property Maintenance Code.

Councilwoman Terrell suggested that Dave Haenelt, Fire Marshal, and Mark Moeller, Construction Official, be contacted with questions as they brought these suggestions forward.

Borough Administrator Wardrop commented that the BOCA code is very outdated and expressed that she strongly supports adopting the International Property Maintenance Code.

Public Comment:

Vito Mazza, 430 Grandview Terrace, inquired whether there is a contingency plan in place to ensure that the Borough will be able to provide services should there be revenue and funding shortfalls.

Mayor Zeigler clarified that the concern is that revenues may be impacted should the tax collection ratio decrease significantly. He noted that the State has made it clear that it will be using funding that is received to plug its deficit and municipalities most likely will not receive any funding. Although budgets are adopted that create a certain level of surplus, he explained that these times are unprecedented with respect to the expenses that are being realized at every level of government. As the economic impact will be felt for far longer than the health impact, Mayor Zeigler commented that it was for this reason that the action was taken this evening to reduce the interest rate effectively to 0 with the hope that it is not abused. He advised that he has requested that the legislative delegation consider legislation that would require the State to give municipalities funding in the amount of the revenue shortfall in the tax collection ratio should federal funding be received. This money would be given as a loan that will be repaid when the municipality recovers its money.

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 8:43 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk