



BOROUGH OF LEONIA

COUNCIL- Regular Meeting
~ Minutes ~

Anne Dodd, Borough Clerk

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

April 6, 2020

7:30 pm

Leonia Borough Hall – Virtually
via GoToMeeting

A Regular Meeting of the Mayor and Council of the Borough of Leonia was held virtually via GoToMeeting at Leonia Borough Hall located at 312 Broad Avenue, Leonia, NJ on April 6, 2020. The meeting was called to order at 7:33 p.m. by Mayor Judah Zeigler who 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 3, 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 Clerk Anne Dodd

Public Comment

Michael DeGidio, 408 Grand Avenue, Chair of the Planning Board, advised that the Planning Board reviewed both Ordinance 2020-06 and 2020-07. He noted that Ordinance 2020-07 was found to be consistent with the Master Plan, and as such, the board is in support of its adoption. With respect to Ordinance 2020-06, he explained that the board found the definitional changes to be consistent with the Master Plan. He stated that, due to current circumstances, the Planning Board is asking for more time to evaluate the portion of the ordinance pertaining to lot coverage.

Councilman Ziegler requested that, when Ordinance 2020-06 is reached on tonight’s agenda, Borough Attorney Chewcaskie provide guidance as to whether the governing body can vote solely on the portions of the ordinance that the Planning Board found to be consistent with the Master Plan.

Approval of Minutes

Motion by Councilwoman Flaim, second by Council President Fusco, and all other members present voting in favor, that the Minutes of February 3, 2020 Regular Meeting are hereby approved.

With respect to the February 19, 2020 Work Session, Councilman Ziegler requested that there be a revision made to page 4 to read, "Motion by Councilman Ziegler, second by Council President Fusco, to amend the second sentence in Section 2 (F) 'Maximum coverage' to read 'Lot coverage shall not exceed 40% of the lot area' and the matter be referred to the Planning Board for their consideration and recommendation."

Motion by Councilwoman Flaim, second by Council President Fusco, and all members present voting in favor, that the Minutes of February 19, 2020 Work Session and February 19, 2020 Closed Session (not to be released) are approved as amended.

Motion by Councilwoman Flaim, second by Councilman Grandelis, and all members present voting in favor, that the Minutes of March 2, 2020 Regular Meeting and March 2, 2020 Closed Session (not to be released) are approved.

Adoption of Ordinances**Ordinance 2020-06**

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on February 19, 2020 and posted on the bulletin board of the municipal building:

ORD. 2020-06 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 290 "ZONING" OF THE CODE OF THE BOROUGH OF LEONIA TO CLARIFY CERTAIN DEFINITIONS AND BULK STANDARDS FOR VARIOUS ZONES

Borough Attorney Chewcaskie advised that this ordinance includes definitional changes regarding height, accessory buildings and lot coverage. He noted that a letter dated April 2, 2020 was received from the Planning Board advising that their review found the definitional changes to be consistent with the Master Plan and recommending that a more specific definition for the measurement height be added, specifically for average grade. In addition, the Planning Board indicated that there was not sufficient time or information to address the reduction in lot coverage from 65% to 40% and has requested an additional 60 days to do so. He advised that to only adopt portions of the ordinance that had been introduced would be considered a substantive change and would require reintroduction and republication. As the Planning Board is undergoing the Master Plan review, Borough Attorney Chewcaskie recommended that this ordinance be tabled for 30 days and then be placed onto a Work Session to determine whether the Planning Board has completed its review.

Motion by Councilman Ziegler, second by Councilwoman Davis, that Ordinance 2020-06 be tabled to allow for Planning Board review.

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

Council President Fusco: aye
 Councilwoman Davis: aye
 Councilwoman Flaim: aye

Councilman Grandelis: aye
 Councilwoman Terrell: aye
 Councilman Ziegler: aye

Ordinance 2020-07

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on February 19, 2020 and posted on the bulletin board of the municipal building:

ORD. 2020-07 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 236 "SITE PLAN REVIEW" ARTICLE II "ADMINISTRATION AND MANAGEMENT" SECTION 15 "CHANGE OF USE" OF THE CODE OF THE BOROUGH OF LEONIA

Borough Attorney Chewcaskie explained that this ordinance provides for a waiver of the requirements for a change of use based upon the dimension which was originally 1,000 square feet and has now been increased to 2,500 square feet. He noted that this ordinance has been reviewed by the Planning Board, was found to be consistent with the Master Plan, and is being recommended for adoption.

Public Comments on Ordinance 2020-07

None.

Motion by Council President Fusco, second by Councilwoman Davis, that Ordinance 2020-07 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
 Councilwoman Davis: aye
 Councilwoman Flaim: aye

Councilman Grandelis: aye
 Councilwoman Terrell: aye
 Councilman Ziegler: aye

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)

Borough Administrator Wardrop explained that the COLA for the cap bank is calculated at 2.5% and the State allows counties and municipalities to increase the cap bank to 3.5%. She expressed her belief that the dollar amount included in the ordinance will need to change as the final budget appropriation amount is currently unknown. She inquired whether the ordinance can be adopted and amended if necessary.

Borough Attorney Chewcaskie advised that the amount would be a material change. He recommended that this ordinance be tabled as the timeline for the budget has been extended.

Mayor Zeigler stated that this ordinance in no way indicates that the Borough intends to exceed the cap, noting that the budget which is planned to be introduced in two weeks is below the 2% cap. He explained that this ordinance allows the Borough the capability to do so in the future if necessary.

Motion by Councilman Gradelis, second by Council President Fusco, that Ordinance 2020-09 be tabled.

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

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

Consent Resolutions

Councilman Ziegler noted that there is a payment to Tumino's Towing appearing on the bill list and commented that there was substantial damage to the back end of the firetruck that was towed. He inquired whether this invoice is net of the cost for the damage that was sustained.

Borough Administrator Wardrop responded that she would like to review this matter prior to payment being made.

Mayor Zeigler suggested that Resolution #2020-105 be pulled for a separate vote and that the bill list be amended to remove this payment.

Councilwoman Terrell referenced the payment to Quikteks and inquired whether the Borough is still making payments to them.

Borough Administrator Wardrop confirmed that this payment is reflective of their final invoice and no further payments would be made to Quikteks.

A. RES. 2020-104 Ratify Implementation of Layoffs - School Crossing Guards
[2020-104 Ratify Implementation of Layoffs - School Crossing Guards.pdf](#)

~~B. RES. 2020-105 Authorize Bill List - Pulled for separate vote~~
~~[2020-105 Bill List.pdf](#)~~
~~[bill list 04062020_001.pdf](#)~~

C. RES. 2020-106 Authorize Contract - Municipal Management Software - GovPilot
[2020-106 Authorize Contract - Municipal Management Software.pdf](#)
[CERT OF AVAIL OF FUNDS gov pilot-leonia.pdf](#)
[SHI Quote-18705945.pdf](#)
[Proposal 59 Leonia Borough NJ.pdf](#)

D. RES. 2020-107 Authorize Negotiations for Acquisition of Properties - 245 & 247

Fort Lee Road

[2020-107 Authorize Negotiations for Acquisition of Properties - 245 & 247 Fort Lee Road.pdf](#)

~~E. RES. 2020-108 Hire Part-Time Qualified Purchasing Agent - Pulled for separate vote~~

~~[2020-108 Hire QPA.pdf](#)~~

Motion by Councilman Ziegler, second by Councilwoman Flaim, that the Consent Agenda be approved as amended.

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 as amended.

RES. 2020-105 Authorize Bill List

[2020-105 Bill List.pdf](#)

[bill list 04062020_001.pdf](#)

Motion by Councilwoman Flaim, second by Councilman Grandelis, that Resolution #2020-105 be approved as amended to remove the payment to Tumino's Towing in the amount of \$1,775.00 under Purchase Order #192407.

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. 2020-108 Hire Part-Time Qualified Purchasing Agent

[2020-108 Hire QPA.pdf](#)

Motion by Councilwoman Flaim, second by Councilman Ziegler, that Resolution #2020-108 be approved.

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

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

Mayor Zeigler explained that the reason that there are no reports or items listed under Unfinished and New Business is due to guidance that was received from the Division of Local Government Services regarding virtual meetings. While permitted, he noted that the agenda is to be kept only to items of important business, and as such, as many items as possible have been deferred.

Unfinished Business:**2020 Census**

Mayor Zeigler reminded residents that it is critically important that everyone complete the 2020 Census. He noted that Leonia is currently at 54.8% response rate which is higher than the average for both Bergen County and New Jersey as a whole. He encouraged all residents to complete the Census online at www.2020census.gov.

New Business:

Council President Fusco commended both Mayor Zeigler and the entire COVID-19 Task Force for their handling of the Coronavirus crisis as well as Councilman Ziegler and Councilwoman Terrell for their work with the Leonia Cares Program.

Mayor Zeigler noted that the work of the task force has been a true team effort. On behalf of the governing body, he acknowledged the frontline healthcare workers and first responders who are putting their lives on the line every single day to keep the residents safe. He reminded residents to wear cloth face coverings in place of surgical masks as masks are needed for healthcare workers and first responders.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Flaim, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk