



BOROUGH OF LEONIA

COUNCIL- Work Session
~ Minutes ~

Anne Dodd, Borough Clerk

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

June 15, 2020

7:30 pm

Leonias Borough Hall - Virtually

A Work Session Meeting of the Mayor and Council of the Borough of Leonias was held virtually via GoToMeeting in the Leonias Borough Hall at 312 Broad Avenue, Leonias, NJ on June 15, 2020. The meeting was called to order at 7:32 p.m. by Mayor Judah Zeigler.

Council President Fusco led those present in a salute to the flag.

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 May 26, 2020 and June 4, 2020 Sunshine Notices containing the time, date, and information on how to access this meeting were sent to the Record, Star Ledger and have 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
Chief Financial Officer Sheryl Luna
Tax Collector Mike Apicella

Mayor Zeigler read the following statement into the record:

"The purpose of this statement is to provide an overview of events that occurred last week that involved the posting on social media of comments by one or more Leonias residents that were racist, sexist, and/or xenophobic, to reinforce the Borough of Leonias's denouncement of those comments, and to provide clarity into the fact that the Borough is conducting a thorough investigation into the entire matter.

Earlier last week, I was made aware of a post on a social media network, containing a picture of several protesters, with the Asian-American woman in the middle of the group holding a sign saying “F*** the Police.” It was brought to my attention because there were a large number of comments in response to the post, quite a few of which were racist, xenophobic or sexist.

The post was ultimately removed; however, before it was, I had the opportunity to review each of just under 300 comments that had been made on the post’s comment thread. I was both shocked and appalled by many of the comments, and while the vast majority of the individuals who had commented were not from Leonia this in no way mitigates the fact that all of the comments denigrating the protester’s gender, mental health, age, and/or ethnicity were repulsive and cannot be in any way defended. All of those types of comments, regardless of who made them or where they live, are not in any way acceptable, and I stated this both on social media and in various other forums.

The individual who authored the original post, as well as one of the people who commented on the post, are Leonia residents and, at the time of this statement, were members of the Leonia Volunteer Fire Department. This raised an even greater concern, as people who are in positions in which they serve the community must hold themselves to an even higher standard, in order to earn and retain the trust of the public they serve.

As a constituent, the person who had posted the unacceptable comment in response to the original post reached out to me on Wednesday of last week, telling me that he realized that his comment was completely inappropriate, and that he had removed himself from Facebook, but he wanted to offer an apology. As a constituent he asked me as his Mayor if I would share the post on his behalf.

As a Mayor, I am often asked for assistance from Leonia residents, and as they are constituents, I believe that it is my sworn obligation to fulfill these requests, to the extent that they are appropriate and in the best interest of the Borough of Leonia. It was in this context that I posted the apology I had received from the individual. Since that time, I have had the opportunity to think about this much more deeply, and in response to some of the comments that I have gotten and conversations I have had with people, I understand why people took it in a different vein. Since that time, I recognize that there are a number of different ways that this could be construed, and although the intention was only to fulfill the request of a constituent, I can see that people could have construed this differently. To the extent that they did and I caused harm in that regard, I apologize.

When something like this occurs, a municipal government must ensure that it is acting in a manner that represents its constituents, and that is in full accordance with all applicable Federal, State and local laws, policies and standards. This does not mean that the issue is being ignored, merely that a significant amount of information must be reviewed, the proper external professionals consulted, etc., all to ensure that any action that the municipality or any part of the municipality might take is legal. If there is one thing I have learned in my years in office, it is that NOTHING about municipal government is ever clear-cut – and determining all of the appropriate actions that must be taken will take just a bit of time.

Again, the issue is NOT being ignored. While we have clearly (and do again, tonight) condemn unequivocally the racist, xenophobic and/or sexist comments that were made by all who made them, we also know, as we have since the incident occurred, that we must do more. The Borough of Leonia will require that all of our employees and volunteers receive mandatory diversity and unconscious and conscious bias training that reminds them of the

need to consistently and completely show, in word and action, complete respect for everyone in our community – this is a step that we committed to BEFORE this incident occurred, when, on June 1, we passed the resolution declaring Racism as a Public Health Crisis.

I view these only as “table stakes;” the “easy” actions to take, but they represent only the beginning of the actions in which we must engage. If we are to ensure that we foster an atmosphere of accountability, then we must fully investigate what occurred – and again, we must do so in a way that ensures we are strictly complying with all applicable Federal, State, and local laws, policies and standards. We have engaged with the appropriate third-party legal counsel who we have engaged for labor matters to do so, in order to ensure that whatever the results of the investigation may be, they cannot be claimed to be biased.

Over the next couple of weeks, while the investigation of the events that are the subject of this statement is ongoing, we will concurrently be undertaking a full and thorough review of all of the applicable policies and processes currently in place, in order to determine what changes, if any, need to be made, in order to ensure that we make it clear that there is no room for racism, xenophobia, sexism, or intolerance of any kind in Leonia’s municipal government. I do not know what the specific results of the investigation may be, because to make such a statement would be to bias and unfairly influence the third-party professionals who are conducting it.

While we complete the comprehensive actions we are taking to ensure a thorough and appropriate response to what occurred, I would like to request that each and every Leonian take a deep breath, and let the process that I have clearly laid out, which represents the process that we believe is in the best interests of EVERYONE, to reach its conclusion. Demands, threats, strident rhetoric, overarching generalizations, etc. are simply not helpful to the process, to your neighbors, or your municipal government, or, most importantly, to advancing the clearly stated goals we’ve established for making substantive, sustained progress.

Yelling AT each other doesn’t work; talking WITH each other is what is needed.”

Mayor Zeigler then read part of his Nixle message that was sent earlier this afternoon into the record:

“I’ve thought deeply about this – and I believe that there is now, in general, more ill will in Leonia today than there was when we started the important conversations about racism and racial equity several weeks ago and took the positive steps that we completed at that time. I believe more strongly than ever, that the current climate represents an opportunity for ALL of us – regardless of our ethnic background, or gender – to look at ourselves in the mirror, and engage in true introspection. Anyone who thinks that racism doesn’t exist in Leonia is simply naïve, and anyone who thinks that every person doesn’t have racial biases is equally so. What is needed now, and again, in my opinion, is for all of us to stop yelling AT each other, and start talking WITH each other. We all need to understand WHY those comments were made, and we all need to recognize that we ALL need to do better – myself included.

These need to be difficult, uncomfortable discussions...**for every single Leonian.** There is no playbook for this; as your Mayor, and as a person who is trying to make real, substantive progress in addressing the long-standing issues of racism, I know that I’m not going to get everything right. There will be missteps, mistakes, false starts, and failures – by me, and by everyone. However, we need to keep driving forward – not by yelling at each other, insulting one another, and personalizing our disagreements, but instead, by listening to each other, by

recognizing that we all have different perspectives, and by committing to learning from one another, so that we can keep moving forward.

These are unprecedented times, and we are I believe at a seminal moment. We can choose to continue to talk at and past each other, knowing that doing so will result in failure, or we can do things differently...using the horrible events in Minneapolis, Georgia and across the US and right here in Leonia to which we have borne witness as our motivation to do better – to BE better – so that we can, collectively, take on the long-standing issues that do nothing but prevent equal success, and true equity.

My commitment is to do everything I can to try to do things differently – and I hope that each of my fellow Leonians will at least consider and think about whether you are able and will commit to the same.”

Councilwoman Davis advised that she privately moderates the page on which this post appeared and explained that this page is meant for simple messages regarding positive community events. Although this post was removed as soon as she learned of it, she apologized that it was not taken down sooner. She advised that the account has been frozen and people will no longer be permitted to post on this page. She further advised that she will no longer be moderating any Facebook groups as moderating needs to be a 24/7 job to ensure that inappropriate posts are removed immediately. She asked that prohibiting governing body members from moderating social media pages be taken into consideration when implementing a social media policy.

Councilman Ziegler expressed his opinion that it is utterly unacceptable for one of the Borough volunteers to post a photo of a likely minor asking for them to be identified, welcoming ridicule and racism, and implying that there should be retribution. He commented that the governing body can use this incident as an opportunity for a teachable moment where there can be more talking and listening as opposed to talking past one another. As difficult as this process may be, he expressed his hope that the community will emerge from the other side all being better off with a better understanding of the community. He stated that he looks forward to more discussions on this issue taking place and seeing the fruition of the initiatives that have already been put into place.

Council President Fusco echoed the comments of Mayor Zeigler and Councilman Ziegler, commenting that one of the reasons that he has been a Leonia resident for so long is that it is such a unique town with so many different kinds of people. He noted that this community is inclusive and culturally-rich. He expressed his hope that incidents like this one will not mar what this town has meant to so many people. He commented that this incident can be a teachable moment to remind the community to be more sensitive to everyone. He noted that this community has worked hard to be inclusive and help those of all backgrounds.

Councilwoman Flaim stressed that the governing body takes this matter seriously and noted that there is ongoing discussion regarding what has taken place. She expressed her opinion that there needs to be a continued dialogue and the public will be kept informed on the actions that are being taken by the governing body going forward. She commented that all members of the governing body love this community and hope that the community will come out stronger on the other end.

Councilwoman Terrell stated that words matter and everyone can agree on that simple truth. She commented that, in the past few days, Leonians have been forced to struggle with the power and consequences of words. As has been shared by many, the narrative about who Leonians are and the specialness of Leonia has been challenged which she stated has been

devastating. She advised that the question that is before each person, which is a question that will be asked time and time again, is where to go from here and whether to choose to be divided or find a path toward unity. She noted that she has struggled with those questions a lot and knows that there are many people on this call who have cried and yelled and screamed, advising that she joins them. She commented that those posts made her question what it means to be American and why she chooses to serve. She further commented that it made her question whether that is what is really in the hearts of the volunteers from the Fire Department when they come to save houses during a fire or assist during a car accident. She stated that she does not want to believe that and doesn't believe anyone in this meeting wants to believe that. She expressed that, up until now, she has always loved the fact that there are members of the Fire Department who are multigenerational as it shows the dedication of the family to want to serve together and was another testament to the specialness of Leonia. She voiced her opinion that this incident is especially horrific when you add the fact that there were County employees including County Sheriffs who posted. She remarked that she greatly appreciates the fact that there are 90 people attending this virtual meeting as it means that these 90 people have decided that democracy is not a spectator sport and have come forward to show the governing body that they are paying attention. She stated that things will not remain the same and encouraged the members of the public to continue to attend these meetings and speak out even though it is hard as, in order to move forward, it has to be done together.

Public Comment

Mark Diller, 115 Overlook Ave, expressed his disappointment that, when this incident occurred, so few members of the governing body spoke up and those who did he does not believe spoke up appropriately. He expressed appreciation to Mayor Zeigler for his words today and commented that he hopes that these words move the community in the right direction. He commended the youth of this community for the strength and courage that they have shown in speaking up. He noted that Black Lives Matter is not an anti-police movement. He commented that, although Leonia is fortunate to have police officers who they can count on, other communities are not so fortunate.

Sumita Singh, 359 Glenwood Ave, stated that the photo that was posted reminded her of her daughter. She noted that she is an immigrant who has contributed to this town. She stated that she is repulsed by some of the comments of this governing body and expressed disappointment for those members who have not taken a position. She commented that she does not feel that Mr. Peters' resigning should be the precedent that is set as she believes in restorative justice. She voiced her opinion that the governing body needs to reach out to the members of the community to see what they feel needs to be done to move forward.

Jacqueline Szabo, 106 Palmer Place, thanked Sumita for her comments and expressed that she is also inspired by the young members of this community. She stated that she is sad and disappointed by the environment in which children are being raised. She voiced her opinion that everyone has to do better and she wants to make a commitment to bettering this town. She thanked Councilwoman Terrell who encouraged her to attend this evening.

Sandy Pecht, 205 Fort Lee Road, inquired as to the status of the PBA contract and requested that it be posted to the Borough website if it is finalized. He noted that the previous contract had outdated language and many aspects did not make sense.

Mayor Zeigler advised that the contract will be made available when negotiations are finalized.

Manu Singh, 460 Pine Hill Road, thanked Mayor Zeigler for his statement and expressed that she has been horrified by the events of the past week. She commented that she is so proud of the young kids for standing their ground and it is because of them that so many residents are attending this meeting today. She expressed her opinion that everyone in this community needs to be a reflection of this community.

Jack Peters, 142 Park Avenue, apologized for remarks that he made in response to a Facebook post on a friend's private page, noting that his remarks were a spontaneous reaction to words on a sign. He acknowledged that his choice of words was unacceptable and offensive to many and apologized to the individual holding the sign and all who read his comment. He expressed remorse for any backlash that Mayor Zeigler has received for posting his apology on his behalf. He expressed his understanding that his actions going forward will be the only way that the community will truly believe his apology. He advised that he has met with several members of the Korean-American community in Leonia as well as other well-respected Leonians for their guidance and hopes to continue to do so.

Lisa Cullen, 499 Park Avenue, remarked that she and her family have always been delighted to be a part of this diverse community. She expressed appreciation for Mr. Peter's comments and spoke in support of Councilwoman Terrell and several of the previous speakers. She commented that she found the events of this past week shocking and appalling and expressed hope that this incident will change residents' ideas of who they would like to have in leadership as there is not currently a representative leadership in many areas of the community.

Cindi McLean, 355 Grand Avenue, stated that she is appalled and disgusted by the community at the moment. She noted that the community has an opportunity to make a change and expressed that the message of the protest is being lost due to one picture of one sign. She commented that what is at issue is the fact that black men are dying throughout the entire country. She noted that the Leonia Police Department is phenomenal and is willing to make a change in the State.

Lilia Brito, 346 Elm Place, commented on the effect that this post could have on the girl who appeared in the picture, stating that everyone needs to be mindful of how they speak. She noted that Leonia is a Stigma-Free Community and asked that people take a moment to think before they post something on social media.

Darryl Joo, 336 Magnolia Place, thanked everyone who has commented this evening and expressed his opinion that there are a lot of residents who care and want Leonia to be special. He commented that what is happening in Leonia is a microcosm of what is happening nationally. He remarked that he feels that this incident can be a good opportunity to reach out to neighbors and hear their perspectives. He thanked Ms. McLean for bringing the attention back to the issue of black men being murdered at the hands of a racist system.

Vito Mazza, 430 Grandview Terrace, expressed his opinion that there has been a gross absence of personal responsibility, accountability, and integrity in the conversations that are taking place online. He commented that there is a need to talk to neighbors and noted that the government needs to be guided by the law in terms of the actions that are to be taken. He expressed his belief that everyone in the community has the same values in wanting a good place to live and raise a family. He expressed hope that everyone can get past this incident and come together as a community.

Anthony Brito, 346 Elm Place, expressed appreciation to Mr. Peters for his apology but commented that there should be a zero-tolerance policy for comments such as the ones that he made. He noted that the time has come to deal with these issues, respond accordingly and act quickly.

Gabriela King, 62 Paulin Boulevard, expressed her opinion that, by calling out racism in the community, she is not choosing to be divided. She expressed disappointment that more people have something to say about a sign than about the Black Lives Matter movement. She commented that Leonia as a community needs to take a stance against racism of any kind and challenged the members of the governing body to state publicly that black lives matter.

Daniel Lee, 227 Van Orden Avenue, echoed the feelings and sentiments of many others who have spoken this evening. He inquired as to the third party who would be handling the investigation as well as the role that the Fire Commission would be playing in this investigation. He further inquired whether Mr. Peters is still employed by the Borough at this time.

Soon Kyon Chung, 227 Van Orden Avenue, questioned what steps would be taken to prevent an incident like this one from happening again and asked whether there are guidelines that the Mayor and Council or Fire Commission use to respond to a matter such as this one. If so, she asked how often those guidelines are updated. She expressed shock over the comments that she saw online and noted that she is unsure whether she feels safe continuing to live in this community. She commented that she is not looking for Mr. Peters to receive punishment as she would like to see reconciliation and restoration of the relationships within the community.

Damee Choi, 7 Cottage Place, echoed the previous speaker and thanked Mr. Peters for his words this evening. She expressed hope that Mr. Peters will continue to work with the community on the diversity mission that has been discussed. She inquired as to the status of the committee that was discussed during the Town Hall on diversity. She noted that there is also the Leonia Diversity Coalition and expressed her hope that these groups can collaborate together.

Isaac Park, 319 Hillside Avenue, expressed appreciation Mr. Peters for his public apology. He remarked that now is the time that the community needs to be united. He noted that Leonia is fortunate that it has good people working in its Police Department. He asked that the community progress itself and make Leonia great.

Mayor Zeigler explained who is responsible for oversight of the Fire Department which includes the Fire Officers within the department as well as the Fire Commission. He advised that Adam Abramson who is from a law firm that specializes in both employment and first amendment law and serves as Labor Counsel will be the third party to conduct the investigation and bring the findings to the governing body. He noted that Labor Counsel is also being asked to look at the gaps in Borough policies and ways to correct those areas rapidly. With respect to the advisory committee, he advised that, if he were to appoint only those who have expressed an interest in serving, it would be approximately 80% white which would not represent the diversity of the community. He commented that the vast majority of those who spoke tonight have not put their names forward to be members of this committee and encouraged them to get involved. He called upon everyone to be introspective and recommit to moving forward together.

Non-Consent Resolutions**BERGEN COUNTY OPEN SPACE GRANT APPLICATION - LEONIA HIGH SCHOOL TURF FIELD INSTALLATION PROJECT PHASE II - INSTALLATION OF ATHLETIC FIELD LIGHTING**

Mayor Zeigler advised that this project is part of the joint venture between the Board of Education and Borough to install a turf field, noting that this aspect of the project involves the installation of athletic field lighting.

Public Comments on Grant Application

No one came forward.

RES. 2020-132 Authorize Submission of Bergen County Open Space, Flood Plain Protection, Farmland & Historic Preservation Trust Fund Grant Application - Leonia High School Turf Field Installation Project Phase II - Installation of Athletic Field Lighting

Motion by Councilwoman Flaim, second by Councilman Grandelis, that Resolution #2020-132 be approved.

Councilman Ziegler asked for confirmation that this \$100,000 grant is in addition to the previous grant award in the amount of \$100,000. Mayor Zeigler confirmed that this application is for an additional grant.

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. 2020-133 Amend Capital Budget

Motion by Councilman Ziegler, second by Council President Fusco, that Resolution #2020-133 be approved.

Borough Administrator Wardrop advised that this resolution is the result of the multipurpose projects and equipment that were requested by the Department Directors which totaled \$585,000. She detailed some of the projects that will be undertaken. She explained that this process began in January and thanked the Capital Budget Planning Committee who helped to put this budget together.

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. 2020-134 Authorize Tax Collector to Prepare & Mail Estimated Tax Bills

Motion by Council President Fusco, second by Councilwoman Flaim, that Resolution #2020-134 be approved.

Mike Apicella, Tax Collector, explained that the State will be late with its budget which will thereby hold back State aid during an extenuating time. He advised that the estimated rate was prepared in consultation with the CFO and the Borough Auditor. He stated that passing this resolution is necessary in order to collect taxes and keep the Borough running.

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

Adoption of Ordinances

Ordinance 2020-13

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on June 1, 2020 and posted on the bulletin board of the municipal building.

ORD. 2020-13 - BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF A SYNTHETIC TURF MULTIPURPOSE ATHLETIC FIELD AT LEONIA HIGH SCHOOL FOR JOINT USE WITH THE LEONIA BOARD OF EDUCATION IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Borough Administrator Wardrop explained that this bond ordinance will allow for the installation of a synthetic turf field. She noted that, although the total cost is \$3 million, this cost will be split equally between the Board of Education and Borough. She advised that the Borough did go out to bid on this project on June 9, 2020 and will now be in a position to issue the Bond Anticipation Notes.

Public Comments on Ordinance 2020-13

No one came forward.

Motion by Councilman Grandelis, second by Councilwoman Flaim, that Ordinance 2020-13 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

Ordinance 2020-14

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on June 1, 2020 and posted on the bulletin board of the municipal building.

ORD. 2020-14 - AN ORDINANCE AMENDING CHAPTER 49 "POLICE DEPARTMENT" ARTICLE 11A "RULES GOVERNING EMPLOYMENT OF POLICE OFFICERS IN EXTRA-DUTY CAPACITY WITHIN THE BOROUGH" SECTION 11-2 "COSTS OF EMPLOYMENT; MINIMUM EMPLOYMENT TIME" OF THE CODE OF THE BOROUGH OF LEONIA

Borough Attorney Chewcaskie advised that this ordinance pertains to an amendment to extra duty payments by third parties such as contractors, explaining that these amounts coincide with the amounts negotiated as part of the PBA contract. He noted that the hourly rate for the officer is being increased to \$100 and the administrative costs are being increased to \$50.

Public Comments on Ordinance 2020-14

No one came forward.

Motion by Councilwoman Davis, second by Councilman Ziegler, that Ordinance 2020-14 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

Introduction of Ordinances**Ordinance 2020-06**

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

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 (REVISED)

Borough Attorney Chewcaskie advised that this ordinance resulted from communications from the Zoning Officer. The ordinance was previously introduced and submitted to the Planning Board. He explained that the Planning Board conducted a study relating to coverage and reported back to the governing body on its findings. He noted that the maximum lot coverage was changed from 65% to 50% and includes a carveout for undersized lots that have a detached garage whereby only 50% of the driveway would be counted toward coverage. The ordinance has been revised to include those provisions as recommended by the Planning Board and the balance of the ordinance remains the same as when originally introduced.

Motion by Council President Fusco that the foregoing revised ordinance be introduced and passed on first reading and setting July 6, 2020 at 7:30 p.m. or as soon thereafter as the as the matter can be heard as the date and time and Leonia Borough Hall either in person or virtually via GoToMeeting as the place for a hearing on said ordinance. Second by Councilman Ziegler.

Councilman Ziegler explained for the public that the reason for the lack of discussion on these ordinances this evening is due to discussion having taken place previously during Work Sessions. With respect to this ordinance, he noted that there was a lot of discussion with the Planning Board regarding lot coverage as this issue required additional study and a compromise.

Mayor Zeigler added that there is a Law & Ordinances Committee that is charged with reviewing all ordinances and making recommendations to the governing body.

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

Ordinance 2020-15

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

ORD. 2020-15 - BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$585,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Borough Administrator Wardrop advised that this ordinance pertains to what she discussed previously with respect to the capital budget amendment resolution. She noted that this ordinance was reviewed in great detail with both the Capital Budget Planning Committee as well as the Finance Committee.

Motion by Councilwoman Flaim that the foregoing ordinance be introduced and passed on first reading and setting July 6, 2020 at 7:30 p.m. or as soon thereafter as the as the matter can be heard as the date and time and Leonia Borough Hall either in person or virtually via GoToMeeting as the place for a hearing on said ordinance. Second by Councilman Grandelis.

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

Ordinance 2020-16

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

ORD. 2020-16 - AN ORDINANCE AMENDING SALARIES, WAGES AND/OR COMPENSATION AND TO ESTABLISH SALARY & WAGE RANGES OF CERTAIN OFFICERS, EMPLOYEES AND PUBLIC SERVANTS OF THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR BEGINNING JANUARY 1, 2020.

Borough Administrator Wardrop explained that, although the governing body should be adopting this ordinance each year, it has not been done in a number of years. She advised that these numbers resulted from the employees who are currently on the roll and noted that new positions have been added.

Motion by Councilwoman Flaim that the foregoing ordinance be introduced and passed on first reading and setting July 6, 2020 at 7:30 p.m. or as soon thereafter as the as the matter can be heard as the date and time and Leonia Borough Hall either in person or virtually via GoToMeeting as the place for a hearing on said ordinance. Second by Councilwoman Terrell.

Mayor Zeigler expressed concern that many of the salaries are right up against the maximum of the salary range. He inquired how these ranges were established.

Borough Administrator Wardrop advised that she reviewed the history of increases for the various positions as well as the salary survey that was conducted by the NJ League of Municipalities. She commented that due diligence needs to be done every year to look at the Salary Ordinance to determine if revisions are necessary for those positions that are bumping up against the maximum.

Mayor Zeigler expressed his opinion that there should be more cushion in these ranges.

Councilman Ziegler stated that he feels comfortable introducing this ordinance this evening recognizing that no one will receive an increase in excess of the maximum end of their salary range. He advised that he is confident that this ordinance will be examined next year for any necessary updates.

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

Ordinance 2020-17

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

ORD. 2020-17 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 290 OF THE GENERAL CODE OF THE BOROUGH OF LEONIA ENTITLED "ZONING" TO CREATE A MANDATORY AFFORDABLE HOUSING SET-ASIDE.

Borough Attorney Chewcaskie explained that, as part of the Master Plan review process, there will be a Housing Element & Fair Share Plan which will address affordable housing for

the Borough. In order to be proactive, this ordinance addresses multifamily development in the Borough by requiring an affordable housing set-aside when there are five or more units being built. This required set-aside will be 20% for for sale units and 15% for rental units. He noted that this ordinance is consistent with existing COAH regulations and will advance any affordable housing needs that the Borough may be required to provide.

Mayor Zeigler announced that this ordinance pertains to Land Use, and as such, requires 35 days between introduction and adoption for referral to the Planning Board to determine consistency with the Master Plan.

Motion by Councilwoman Terrell that the foregoing ordinance be introduced and passed on first reading and setting July 20, 2020 at 7:30 p.m. or as soon thereafter as the as the matter can be heard as the date and time and the Leonia Borough Hall either in person or virtually via GoToMeeting as the place for a hearing on said ordinance. Second by Councilman Ziegler.

Councilwoman Terrell noted that there is no guidance as to what is considered low and moderate income within the ordinance.

Borough Attorney Chewcaskie advised that low and moderate income are established pursuant to COAH regulations, and as such, those definitions exist in Statute.

Councilwoman Terrell noted that very-low needs to have a hyphen throughout the ordinance and there is a typo in Section F that needs to be addressed. Borough Attorney Chewcaskie confirmed that these grammatical errors will be corrected.

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. 2020-135 Authorize Bill List
- B. RES. 2020-136 Authorize Inclusion in Bergen County Community Development Program
- C. RES. 2020-137 Authorize Agreement to Supersede Cooperative Agreement Establishing Bergen County Community Development Program
- D. RES. 2020-138 Increase Bid Threshold
- E. RES. 2020-139 Authorize Proposal - Pennoni Engineering - Broad Avenue Section 10
- F. ~~RES. 2020-140 Authorize Temporary Outdoor Restaurant Seating~~ *Pulled for separate vote*
- G. RES. 2020-141 Authorize Refund - Overpayment of Taxes - Block 1503 Lot 9
- H. RES. 2020-142 Maintain Borough Hall Hours Established in RES. 2020-49 Through December 31, 2020

Motion by Councilman Grandelis, second by Councilwoman Terrell, 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
 Councilwoman Davis: aye
 Councilwoman Flaim: aye

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

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

RES. 2020-140 Authorize Temporary Outdoor Restaurant Seating

Councilman Ziegler expressed concern over the reference to fast-food and drive-in restaurants within the resolution as he does not want to set a precedent for an establishment that Leonia does not currently have and is zoned against.

Motion by Councilman Ziegler, second by Councilwoman Flaim, to amend Resolution #2020-140 to remove the reference to fast-food and drive-in restaurants in Bullet Point #1.

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

Motion by Councilman Ziegler, second by Councilwoman Flaim, that Resolution #2020-140 be approved.

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

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

Motion by Councilwoman Terrell, second by Council President Fusco, and all present voting in favor, to extend the Work Session until 10:30 p.m.

Unfinished Business:

COVID-19 UPDATE

Mayor Zeigler reported that New Jersey entered Phase 2 of its reopening plan. He reviewed what businesses have or will be permitted to reopen and the timeframe for the reopening. He noted that Libraries were permitted to reopen today for curbside service only and Borough Administrator Wardrop is working with the Library Director on a plan to address this service. He advised that there are currently 154 Executive Orders and 15 Administrative Orders in effect, many of which contradict each other. He commented that many of the regulations come with associated costs which he believes is a violation of the State Mandate, State Pay amendment to the Constitution. As he believes that the State has an obligation to reimburse municipalities for said costs, he advised that he will be exploring this issue with the Borough Attorney to determine if a formal complaint should be made with the Council on Local Mandates. With respect to Bergen County CARES Act grant program, he reported that the first submission for reimbursement of March and April expenses has to be submitted by June 29th. It is anticipated that the Borough will receive 100% reimbursement. He reported that COVID-19 testing took place in Leonia last Wednesday and over 600 people participated and over 900 tests were administered. He advised that only one person came back positive

for COVID-19. He commended the efforts of the Borough employees who were involved as well as the County. Guidance is awaited from the County on reopening the dog park.

New Business:

Outdoor Dining Events/Broad Avenue Closures - Mayor Zeigler

Mayor Zeigler reported that Borough Administrator Wardrop will be reaching out to businesses to see which would participate if Broad Avenue were to be closed for an outdoor dining event.

He advised that, as a result of the protest that took place a week ago Saturday, it was discovered that there is not a permitting process currently in place to hold such an event. He explained that, although he put a Special Event Permit application together, Borough Attorney Chewcaskie advised that an ordinance establishing the permitting process would first need to be put into place. Councilwoman Davis concurred that a permitting process should be put into place as it would have allowed for better participation in the last protest and would have set a clear expectation of the route that was to be followed. Mayor Zeigler requested that this matter be referred to the Law & Ordinances Committee for review.

Mayor & Council Meeting Platform - Virtual vs. In-Person - Councilwoman Flaim

Councilwoman Flaim explained that there had been previous discussion as to whether the Mayor and Council would continue to hold virtual meetings or return to holding in-person meetings. She advised that she was looking to get the thoughts of the governing body on this matter.

There was discussion about the pros and cons of holding virtual meetings. As the Anna C. Scott School is not currently an option to hold meetings and the capacity for indoor gatherings is set at 25% capacity or 50 people, whichever is lower, it was decided to continue to hold Mayor and Council meetings virtually through the summer. It was also decided that a return to either in-person or a hybrid of virtual and in-person meetings will be planned to take place after Labor Day.

Mayor Zeigler commented that this meeting was long and hard and he thanked the members of the governing body for tonight, stating that he is blessed to be a part of this team. He expressed his disappointment in the behavior that he has witnessed over the past week and voiced his belief that everyone in the community has an obligation to be respectful.

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 10:30 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk