



BOROUGH OF LEONIA

COUNCIL- Work Session
~ Minutes ~

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

December 20, 2021

7:30 pm

Leonía Borough Hall - Virtually

A Work Session Meeting of the Mayor and Council of the Borough of Leonía was held virtually via GoToMeeting in the Leonía Borough Hall at 312 Broad Avenue, Leonía, NJ on December 20, 2021. The meeting was called to order at 7:31 by Mayor Judah Zeigler.

Those present were led in the Flag Salute by Council President Joanne Terrell. A moment of silence was observed for Borough of Leonía resident, James Davidson.

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 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 8th 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 and Councilmembers Joanne Terrell, Maureen Davis, Bernadette Flaim, Pasquale Fusco, Louis Grandelis, and William Ziegler

ABSENT: None

ALSO PRESENT: Borough Attorney Daniel R. Lagana
Borough Administrator Andrea Wardrop
Police Chief Scott Tamagny
Acting Borough Clerk Melina Tineo

Public Comment

Alec Melman, 172 Highwood Avenue, expressed concerns and displeasure with the quality of repairs to sidewalks on Broad Avenue as well as concerns that trees will be removed as part of this project through a written statement. Another concern was raised with the inclusion of a red stop at the intersection of Hillside and Broad, feeling that it is not busy enough of a cross to warrant such regulation and thus diminishes drivers' acceptance of said devices. Mayor Zeigler first addressed the concern in regards to the trees, stating that while the Borough always seeks to protect its Shade Trees, sometimes the roots grow in such a way that they unfortunately will be a detriment to important infrastructure and thus require removal. It was noted that communication of this process was not up to standard and thus will be resolved in the future. Mayor Zeigler also clarified upon a comment made during the reading of the written statement that the Borough is not obligated to accept the lowest bidder for projects but instead the lowest responsible bidder, a strong distinction from the original inference made during the statement.

Borough Administrator Wardrop commented that in regards to the shade trees there is a new standard procedure put into place that will resolve and prevent future scenarios where the public feels underinformed of a decision made by the Borough. When a project is in development the Shade Tree Commission will be invited so as to increase transparency of information. In regards to the quality of sidewalks, the Borough Administrator stated that he is in communication with the Borough Engineer for the assessment of sidewalks, stating that many reviewed are found to be in good condition and thus are not in need of repairs or replacement.

Mayor Zeigler asked that the Borough Engineer be made available to present information in regards to the Broad Avenue sidewalk project to increase transparency of information to the public and governing body. It was also clarified that only the Shade Tree Commission and the town Tree Specialist are permitted to mark trees for trimming or removal.

Adoption of Ordinances**Ordinance 2021-18**

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

“ORD. 2021-18 CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$211,000 FOR VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, NEW JERSEY AND TO TRANSFER UNEXPENDED BOND ORDINANCE BALANCES AND REAPPROPRIATE SAME TO FINANCE SUCH APPROPRIATION.”

Borough Administrator Wardrop explained that this capital ordinance is purposed for various improvements identified during the Capital Project process. She noted that

these improvement projects were brought before the capital budget planning committee and will answer any questions as to the details if requested.

The record will show that there were no public comments in regards to ORD. 2021-18.

Councilman Ziegler motioned that ordinance 2021-18 be adopted on second reading. Seconded by Council President Terrell.

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

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

Ordinance 2021-19

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

ORD. 2021-19 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF LEONIA REPEALING CHAPTER 49 ENTITLED "POLICE DEPARTMENT" ARTICLE III ENTITLED "RULES AND REGULATIONS"

Borough Attorney Lagana explained that the purpose of this ordinance is to repeal the existing rules and regulations for the Leonia Police Department, allowing for the adoption of new rules and regulations to be passed by resolution 2021-267 in tonight's meeting.

The record will show that there were no public comments in regards to ORD. 2021-19.

Councilwoman Flaim motioned that the ordinance 2021-19 be adopted on second reading. Seconded by Councilman Ziegler.

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

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

Consent Resolutions

~~RES. 2021-262 Authorize Bill List~~
[2021-262 Authorize Bill List.pdf](#)

[2021-262 Bill List Backup.pdf](#)

RES. 2021-263 Authorize Change Order #1 – 247 Fort Lee Road

[2021-263 Authorize Change Order #1 – 247 Fort Lee Road.pdf](#)

RES. 2021-264 Authorize Change Order #1 – GZA Ambulance Corp Building Remediation

[2021-264 Authorize Change Order #1- GZA Ambulance Corp Bldg Remediation.pdf](#)

~~RES. 2021-265 Authorize 2021 Appropriation Transfers~~

~~[2021-265 Authorize 2021 Appropriation Transfers.pdf](#)~~

RES. 2021-266 Authorization Chapter 159 – American Rescue Plan - \$150,000

[2021-266 Authorization Chapter 159 – American Rescue Plan - \\$150,000.pdf](#)

RES. 2021-267 Adopt New Rules and Regulations – LPD

[2021-267 Adopt New Rules and Regulations.pdf](#)

Motion by Councilwoman Davis, second by Council President 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 Terrell: aye Councilman Fusco: aye

Councilwoman Davis: aye Councilman Grandelis: aye

Councilwoman Flaim: aye Councilman Ziegler: aye

RES. 2021-262 Authorize Bill List

Councilman Ziegler noted that on his review of the Bill List he noted an item for the Leonia Police Station, in regards to repairs for flooding caused by Ida, that has not yet had the work performed. He wished to confirm that there was not going to be any payment made until the work has been completed to a satisfactory amount. Mayor Zeigler shared the same sentiments and noted that if the construction has not yet been completed, he does not wish to have it be on the bill list as an item approved to be issued a check, whether it is held until completion or not.

Motion by Councilman Ziegler that item 212272 for the LPD Floor Proposal be removed from the bill list to return later on a future bill list once the work has been completed to a satisfactory level. Second by Councilman Fusco.

On a roll call, the vote to amend the Bill List was recorded as follows:

Council President Terrell: aye Councilman Fusco: aye

Councilwoman Davis: aye Councilman Grandelis: aye
Councilwoman Flaim: aye Councilman Ziegler: aye

Motion by Council President Terrell, Second by Councilwoman Davis, that RES. 2021-262 be approved as amended.

On a roll call vote, the approval of RES. 2021-262 as amended was recorded as follows

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

RES. 2021-265 Authorize 2021 Appropriation Transfers

Councilman Ziegler expressed concerns on whether the volunteer organizations of Stigma Free and the Leonia Fire Department were properly notified that the funding laid out in the resolution would be transferred out.

Borough Administrator Wardrop stated that she will be sure that the Chief Financial Officer will contact the volunteer organizations to notify them of the transfers.

Councilman Fusco inquired as to whether notice should have been made prior to the resolution being brought before the Mayor and Council to which the mayor responded that it is not unusual to move money around where there is some left at the end of the year.

Motion by Councilman Ziegler to approve of RES. 2021-265. Second by Council President Terrell.

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

Unfinished Business

Noise Control Discussion – Council President Terrell

Council President Terrell started the discussion by reintroducing the topic at hand, in particular how in order to enforce noise control, Leonia must first have an officer who is certified as a noise control officer as well as an ordinance that is approved the New Jersey Department of Environmental Protection (NJDEP). The model ordinance has been presented to the Mayor and Council in the past, with the current one being

presented the updated version which is tailored to the needs of the Borough of Leonia. Council President Terrell handed off the conversation to Borough Attorney Lagana, who would provide more information as to the topic.

Borough Attorney Lagana explained that what will be presented to the Mayor and Council for adoption is an ordinance which had its verbatim model after the model noise ordinance approved by the NJDEP. The proposed ordinance will provide the highest standards set by the state and the highest level of protection. Landscaping concerns was separated from the Model Ordinance, as it does not contain language regarding that issue in particular. It was discussed that the best course of action would be to parcel the landscaping issue into an entirely new ordinance that would be enforced under a separate section. The ordinance is expected to be presented to the Mayor and Council for adoption early in 2022.

Councilman Ziegler to create a better understanding questioned once more of the process of adoption, to which the Borough Attorney stated that both ordinances will be separate, with one focused on landscaping noise regulations, and both will be introduced simultaneously for adoption.

OEM – Emergency Reception Point Discussion Update – Borough Administrator

Borough Administrator Wardrop wished to give an update to the Mayor and Council after discussion with Office of Emergency Management (OEM) Coordinator Bob Chace. The Borough Administrator stated that the Department of Public Works (DPW) Superintendent, Recreation Superintendent, and OEM Coordinator were able to find a suitable area in the Recreation Center for storage of reception point supplies. DPW Superintendent John Villareal was able to acquire three quotes for personal protection equipment (PPE), with the low quote being \$3,900. The DPW Superintendent and the Chief Financial officer will determine if there sufficient funding in the current year, if not there will be a request made for the 2022 Budget. Once the room is constructed smart locks will be installed and all supplies will be moved to the newly constructed area.

COVID-19 Update – Mayor Zeigler

Mayor Zeigler wished to give an update as to the COVID-19 Pandemic, in particular to the Omicron Variant overtaking the majority of new cases. The mayor encouraged residents to be boosted if already vaccinated and to get the initial vaccination shot if not. The vaccination clinic to be held on December 21st is sold out and will include over 30 pediatric patients who will be receiving their first dosage of the vaccine.

Mayor Zeigler asked that residents consider limiting the size of their gatherings for the holidays and to continue wearing masks in public spaces.

Infrastructure Bill Appropriations – Councilman Ziegler

Councilman Ziegler asked if any new guidelines were issued in regards to how funds acquired from the Congress passed infrastructure bill could be applied. Mayor Zeigler explained that the funds are not all provided in one year, as it is a multi-year appropriation, and that guidelines have been provided. The mayor deferred to the Borough Administrator, who has been working with the Boroughs grant consultant Millennium Strategies to ensure the Borough is afforded everything it is owed.

Borough Administrator Wardrop made mention of the collaboration between herself and Millennium Strategies and gave various examples as to how funding could be applied through the guidelines, in particular for Covid-19 vaccination clinics. The Borough Administrator explained that the auditor is the individual that is gone to in order to expend the funds through the American Rescue Plan Act of 2021 (ARPA). The \$150,000 adopted through RES. 2021-266 in particular was provided through ARPA, with the acceptance of future funding being brought to the Mayor and Council for approval.

Councilman Ziegler reaffirmed that his question in particular was in regards to the newly passed infrastructure bill. Councilman Ziegler asked that once guidelines are released that they be provided for review by the Mayor and Council in order to organize and plan on how to prioritize the funding.

New Business**Staffing Calendar Discussion – Mayor/Administrator**

Borough Administrator Wardrop asked for visibility as to when all staff are out of the office and out of town. The Borough currently utilizes a Google calendar approach so that the Administrator has the ability to see when the various departments are off and which employees are in or out on a particular date.

Closed Session:**RES. 2021-268 Closed Session**

Motion by Councilman Fusco, Second by Council President Terrell, and with all in favor the meeting entered Closed Session at 8:21 PM.

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. A Personnel Matter

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

In order to authorize the mayor to sign on behalf of the Borough of Leonia the separation agreement between the Borough of Leonia and current Police Officer Heather Murphy a motion was entertained by Councilwoman Davis. Second by Council President Terrell.

On a roll call vote, the votes were recorded as follows:

Council President Terrell: aye	Councilman Fusco: aye
Councilwoman Davis: aye	Councilman Grandelis: aye
Councilwoman Flaim: 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 adjourned at 8:56 PM.