



BOROUGH OF LEONIA

COUNCIL- Work Session
~ Minutes ~

Trina Lindsey, Borough Clerk

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

September 7, 2022

7:30 pm

Leonia Senior Center

A Regular 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 September 7, 2022. The meeting was called to order at 7:30 PM by Mayor Zeigler.

Those present were led in the Flag Salute by Council President Flaim.

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 11th 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, Council President Flaim, Councilwoman Maureen Davis, Councilman Pasquale Fusco, Councilman Louis Grandelis, Councilwoman Joanne Terrell, and Councilman William Ziegler

ABSENT: None

ALSO PRESENT: Borough Attorney Brian Chewcaskie
Borough Administrator Andrea Wardrop
Chief of Police Scott Tamagny
Borough Clerk Trina Lindsey

Public Comment

Alec Melman, 172 Highwood Avenue, expressed his desire to follow up with his letter that was sent in and read into the record at the August 1, 2022 Regular Mayor and Council Meeting. Mr. Melman implored the Mayor and Council, as well as the Borough Engineer, to consider expanding the sidewalk near NVE Bank.

Mr. Melman also referred to the 100 trees knocked down in Overpeck Area IV and encouraged the Mayor and Council to speak with Bergen County to request more transparency in this project.

Finally, Mr. Melman inquired as to whether new trees were planned to be planted alongside Broad Avenue, between Highwood and Park Avenues.

Mayor Zeigler stated that no member of the Governing Body was made aware of the County's decision to take down trees in Overpeck Park Section IV. Mayor Zeigler has reached out to the County Executive for an immediate meeting to inquire as to what their plan is and why the community was not made aware. An update will be provided once a response is received.

Mayor Zeigler directed the question regarding the planting of trees on Broad Avenue to the Shade Tree Commission.

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

Appointments

RES. 2022-209 Appointment of Police Officer [2022-209 Appointment of Police Officer.pdf](#)

Motion by Councilwoman Davis, second by Council President Flaim, that Resolution # 2022-209 be approved.

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

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

Dylan Corring was sworn in the role of Police Officer by Mayor Judah Zeigler.

RES. 2022-210 Appointment of Police Officer [2022-210 Appointment of Police Officer.pdf](#)

Motion by Councilwoman Davis, second by Councilman Ziegler, that Resolution # 2022-209 be approved.

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

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

Devon O'Donnell was sworn in the role of Police Officer by Mayor Judah Zeigler.

RES. 2022-211 Appointment of Recreation Administrative Assistant [2022-211 Appointment of Administrative Assistant to Recreation.pdf](#)

Motion by Councilman Grandelis, second by Councilman Fusco, that Resolution # 2022-211 be approved.

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

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

Approval of Minutes

Motion by Council President Flaim, second by Councilwoman Terrell, and all members present voting in favor, that the Minutes of June 13, 2022 Regular Meeting were approved.

Motion by Council President Flaim, second by Councilwoman Terrell, that the Minutes of August 1, 2022 Regular Meeting be approved. Abstention by Councilwoman Davis, Councilman Grandelis, and Councilman Ziegler. All others voted in favor of the approval of the Minutes of the August 1, 2022 Regular Meeting.

Reports

Council President Flaim

Library Board of Trustees

The Library Board will begin meeting once more after a Summer Recess starting the following week.

Finance & Human Resources Committee

There are several items to be discussed by the Borough Administrator further in her report.

Councilwoman Davis

Police Department

Please see attached the August 2022 Police Committee Report

[August 2022 Police Committee Report](#)

Board of Health

The Board of Health is in the process of finalizing the date of their September meeting, which will be reported upon at the October 3, 2022 Mayor and Council Meeting.

Councilman Fusco

Department of Public Works

Please see attached the Department of Public Works Monthly Report for August 2022

[August 2022 Department of Public Works Report](#)

Building Department

Please see attached the August 2022 Construction Permit Activity Report and the Cash Receipts Audit Report.

[August 2022 Construction Permit Activity Report](#)

[August 2022 Cash Receipts Audit Report](#)

Planning Board

There are several pending applications, including the Pacific Outdoor Billboard and 131 Fort Lee Road.

282 Grand Avenue and 284 Grand Avenue were both approved via resolution, being minor improvements.

A denial was provided via resolution for an application requesting a smaller than required size parking space.

Councilman Grandelis

Fire Department

The Fire Committee did not meet in the month of August. Its next meeting is scheduled for September 22, 2022.

The Leonia Fire Department responded to 32 alarms in July.

The Leonia Fire Department responded to 25 alarms in August.

Potential volunteers are encouraged to reach out to Chief Caruolo or Councilman Grandelis, should they be interested in joining the Leonia Volunteer Fire Department.

EMS

In August, there were 52 incidences where the services of the Englewood Hospital Medical Services Team were required.

With the assistance of Borough Administrator Andrea Wardrop and Rick Sposa, the Emergency Medical Services Workers are ready to move to the lower level of the Senior Center. Thanks were provided to the Leonia Library for hosting the EMS team until now.

Recreation Commission

The Recreation Commission met in August for a special session on the 21st, with the next meeting being scheduled for September 20, 2022 at 7:30 P.M. at the Recreation Center.

The Leonia Swim Club's season ended with record membership post-Pandemic, being enjoyed by all.

Registration for Fall Programming has begun, with residents encouraged to join and participate in the various programs offered.

In the Leonia Senior Center improvements, funded by the received CDBG grant, have begun to remediate flooding issues in the basement.

Councilwoman Terrell

Board of Education

Board of Education President Bryce Robbins announced his retirement from the Board.

Law and Ordinances Committee

Three ordinances are on the agenda tonight to be approved.

Councilman Ziegler

Facilities Committee

Due to an unexpected heavy downpour, the new Municipal Building project faced some challenges in the quality of poured concrete. At the expense of the contractor, this concrete was removed and repoured, bringing the project back on schedule. It is expected that as the weather turns towards winter the walls of the building shall be up and the interior will be worked upon.

Any contaminated fill was removed from the construction site.

The furniture of the building must be purchased before November 1, 2022 before prices go up by 10% or more.

Environmental Commission

The Environmental Commission met on September 6, 2022 to discuss the future and potential activities that the commission wishes to be involved with.

Community Choice Aggregation, Protection of Overpeck Park, Plastic Bag Bans, Styrofoam Bans, and Food Dehydrators are some potential interests of the Environmental Commission to explore further. A presentation of these will be put together and presented to the entire community sometime shortly.

The Environmental Commission is looking for more volunteers and encourages those interested to get involved and reach out to learn more about how they can assist.

Shade Tree Commission

Before the September 19, 2022 Work Session Mayor and Council Meeting both Mayor Zeigler and Councilman Ziegler shall gather together to discuss further the topic of sidewalk policy.

Residents are encouraged to keep vigilance in watching Black Walnut, Willow, and Red Maple trees as they the most endangered from Lanternflies.

The Shade Tree Commission thanked the DPW for its hard work in making sure all new saplings are well-watered and taken care of.

The private planting program has been a great success but has seen some interesting challenges in that many residents rather have the tree planted in their backyards, rather than the front of their property as the rules of the program dictate.

Borough Administrator's Report

The Capital Budget is now placed into action, ORD. 2022-16 shall be adopted tonight to put forward the Multi-Purpose Capital Budget with changes as requested by the Mayor and Council.

Due to an impending retirement within the DPW, the Mayor and Councils approval to advertise to fill this role is being requested through resolution. With leaf season around the corner, the DPW must have a full staff.

Technical Assistant to the Construction Official Angela Copeland announced her resignation from her role and advertisements must be made to fill this position as well. Angela will be greatly missed by the Borough of Leonia and is thanked for her service.

The equipment necessary for hosting higher-quality Mayor and Council Meetings at the Leonia Senior Center has finally arrived. Installation is expected to start shortly and should last three days and be ready for use at the September 19, 2022 Work Session Mayor and Council Meeting.

The Borough Administrator worked with Borough Attorney Brian Chewcaskie and the Board of Education Attorney to formulate a mutually beneficial agreement for the shared services of the Board of Education Mechanic. The agreement is for three years and shall be up for adoption via resolution later this meeting.

Chief Financial Officer Cameron Keng shall present various findings to the Finance and HR Committee on September 13, 2022.

Rebecca Adamsky shall be serving as the new municipal health inspector for the Borough of Leonia through Mid-Bergen Regional. Ms. Adamsky shall be serving the Borough of Leonia in a part-time role.

The 2021 Audit is still underway due to various reasons. The manager of the firm for the prior Audit team left his firm, with the current audit team working to catch up to where it was left off. The audit is expected to be completed in its entirety in September.

The Senior Center Lower-Level Drainage Project has commenced, with expected completion within 3 to 4 weeks.

For the Wood Terrace Drainage Improvement Project, the Borough Administrator, Borough Engineer, Grant Writers Millennium Strategies, and volunteer Amelia are collaborating to assemble a grant application to the NJDEP Storm Water Planning Resilience Opportunity. The Borough Administrator attended a webinar on the grant, learning about different work streams that may be applied to. The Borough of Leonia shall apply to multiple of these work streams, the first of which is the Wood Terrace Drainage Improvement Study. The volunteer is the founder and president of the engineering consulting agency Green Reviews Inc. and has 40 years of experience in environmental policy development.

Brochures highlighting the new alternate side parking regulations were mailed out and should be received by residents within the next few days.

Borough calendars were mailed out and should also be received by residents within the following days.

Borough Engineer's Report

Broad Avenue Section 9 paving was completed on July 1, 2022 with only small minor repairs and improvements necessary.

Broad Avenue Section 11 walkthrough is completed and plans are being updated and finalized for this project with an expectation to go out to bid by the end of September.

Broad Avenue Section 12 is being done in the form of a grant application as part of the 2023 Municipal Aid Grant Cycle.

Senior Center Lower-Level Improvements contract was awarded and is expected to be completed in early October.

The Municipal Aid for 2022 Roads shall be bid out in early October.

The Borough Engineer is preparing a scope and proposal for the Wood Terrace Drainage Project, as well as working on the grant project to the New Jersey Department of Environmental Project.

For the Lakeview Avenue Drainage Project, Borough Administrator Wardrop met with the City Manager of Englewood, who shall assist the Borough Engineer in meeting his counterpart in Englewood. Both Municipalities shall work together and with the state to further this project.

Borough Attorney's Report

Councilwoman Terrell previously spoke as to the ordinances that are to be adopted this evening.

There are five or six items to speak about during the executive session.

The Borough Attorney stated that the written report that states written tax appeals are to be done in September has an attachment.

Introduction of Ordinances

Ordinance 2022-14

[ORD. 2022-14 – Electrical Vehicle Charging Station Fees.pdf](#)

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

“An Ordinance Authorizing and Encouraging Electric Vehicle Supply / Service Equipment (EVSE) & Make-Ready Parking Spaces.”

Borough Attorney Chewcaskie explained that Ordinance 2022-14 governs the use of electric vehicles within the Borough along with the Zoning Ordinance. This ordinance sets the fees as \$4-5 dollars for the first two hours of use of Borough-owned electric vehicle charging stations. The Master Plan of Leonia the ordinance should be about is 2022 and not 2016. The Borough Attorneys’ notes show a desire for \$5 for the minimum fee whereas Councilwoman Terrell’s notes show an amount of \$4.

Mayor Zeigler had some questions as to where the differences in opinion are sourced from. Councilwoman Terrell explained that during the Law and Ordinances Committee meetings there was discussion as to what to set the minimum fee for use of the electric vehicle charging stations, with the Borough Attorney recommending \$5 and the Council Chair recommending \$4. Councilwoman Davis stated that she recollected that the minimum fee was to be set at \$5. The Borough Attorney stated that his notes show that a discussion was held to set the minimum fee to be \$4 but as it was further discussed the decision was made to make the minimum fee \$5.

Mayor Zeigler asked Councilwoman Terrell as Chair of the Laws and Ordinances Committee if she had any objections to the minimum fee for use of the EV Charging Stations being set to \$5, as it is currently stated in the ordinance. Councilwoman Terrell had no objections to the minimum fee being set as \$5 but wished to allow the rest of the committee to be aware of the decision-making process behind the decision.

Motion by Councilwoman Terrell, Second by Councilwoman Davis that ordinance 2022-14 be introduced and passed on first reading, and setting September 19, 2022 at 7:30 p.m. or as soon thereafter as the matter can be heard for second reading and adoption.

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

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

Ordinance 2022-15

[ORD. 2022-15 – Lead Paint Inspection Services Fee.pdf](#)

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

“Amending and Supplementing Chapter 212 of the Borough Code Regarding Requirement for Inspection of Lead-Based Paint in Residential Dwellings.”

Borough Attorney Chewcaskie stated that much discussion was held between the Laws and Ordinance Committee, Construction Superintendent, and Fire Official. As the state has set the requirement for the inspection of lead-based paint in residential dwellings, it was decided that for this service to be performed a fee of \$220 should be charged, with \$20 of it to be sent to the State. Due to the Borough becoming the records keepers of documents relating to these inspections, there shall also be a \$50 administrative fee should residents choose to have the inspection performed by non-Borough inspectors.

Mayor Zeigler stated for the record that it is superfluous that once again the State is ignoring the state mandate, state pay portion of the constitution.

Motion by Councilwoman Terrell, Second by Councilman Fusco that ordinance 2022-15 be introduced and passed on first reading, and setting September 19, 2022 at 7:30 p.m. or as soon thereafter as the matter can be heard for second reading and adoption.

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

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

Ordinance 2022-16

[ORD. 2022-16 – Multi-Purpose Capital Ordinance.pdf](#)

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

“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 a New Automotive Vehicle, 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 \$2,250,000 to Pay the Cost Thereof, to Appropriate Borough Trust Fund Moneys, 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.”

The Borough Administrator explained that through this ordinance, the Borough of Leonia is providing for the appropriation of equipment and projects that were appropriated following the guidance set by the Mayor and Council during the August 15, 2022 Work Session Meeting where the Capital Budget was discussed. Some of the more significant projects to be provided for include Road Improvements, Wood Terrace Storm Water Drainage Improvements, and Capital Roadways. The replacement of a Sanitation Truck and various other vehicles and equipment are also provided for.

Motion by Council President Flaim, Second by Councilman Ziegler that ordinance 2022-16 be introduced and passed on first reading, and setting September 19, 2022 at 7:30 p.m. or as soon thereafter as the matter can be heard for second reading and adoption.

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

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

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

Consent Resolutions

~~RES. 2022-212 Authorize Bill List~~

[2022-212 Authorize Bill List.pdf](#)

[Bill List Backup.pdf](#)

RES. 2022-213 Resolution Eliminating Claimant Certifications on Certain Types of Transactions

[2022-213 Resolution Eliminating Claimant Certifications.pdf](#)

RES. 2022-214 Award Borough Facilities Cleaning Services Contract

[2022-214 Award Borough Facilities Cleaning Services Contract.pdf](#)

RES. 2022-215 Accept Resignation of Technical Assistant to the Construction Official

[2022-215 Accept Resignation of Technical Assistant.pdf](#)

RES. 2022-216 Authorization to Advertise for Technical Assistant to the Construction Official

[2022-216 Authorization to Advertise for Technical Assistant.pdf](#)

RES. 2022-217 Authorization to Advertise for DPW Laborer

[2022-217 Authorization to Advertise for DPW Laborer.pdf](#)

RES. 2022-218 Adopt Shared Service Agreement – Board of Education Mechanic Services

[2022-218 Adopt Shared Service Agreement – Board of Education Mechanic Services.pdf](#)

RES. 2022-219 Outstanding Checks – Bail Account / General Account

[2022-219 Outstanding Checks – Bail Account / General Account.pdf](#)

RES. 2022-220 Authorize Borough to Acquire Elevator Subcode Jurisdiction from the New Jersey Department of Community Affairs

[2022-220 Authorize Acquisition of Elevator Subcode Jurisdiction.pdf](#)

RES. 2022-221 Authorize Shared Service Agreement with Mid-Bergen Regional Health Commission

[2022-221 Authorize Shared Service Agreement with Mid-Bergen Regional Health Commission.pdf](#)

RES. 2022-222 Authorize Change Order – Municipal Building

[2022-222 Authorize Change Order – Municipal Building.pdf](#)

RES. 2022-223 Authorization to Advertise for Planning Board Secretary

[2022-223 Authorization to Advertise for Planning Board Secretary.pdf](#)

RES. 2022-224 Authorize Tax Refund

[2022-224 Authorize Tax Refund.pdf](#)

Motion by Councilwoman Terrell, second by Council President Flaim, that the Consent Agenda

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

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

RES. 2022-212 Authorize Bill List

[2022-212 Authorize Bill List.pdf](#)

[Bill List Backup.pdf](#)

Pulled for a separate vote by Councilwoman Terrell.

Motion by Council President Flaim, second by Councilwoman Davis, that RES. 2022-212 be approved.

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

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

Unfinished Business**Cannabis Businesses in Leonia – Mayor Zeigler**

Mayor Zeigler wished to revisit the passage of approval of certain activities relating to cannabis through a zoning perspective. Originally the Borough of Leonia did as the State required and banned the sale and distribution of cannabis. Mayor Zeigler wished to bring this item back for discussion during the September 19, 2022 Work Session Meeting. The Borough Attorney was asked to distribute draft ordinances to the Mayor and Council for review so that this topic may be revisited.

New Business**Mental Health Programs for Youth in Leonia – Councilman Ziegler**

Councilman Ziegler wished to discuss at the October 17, 2022 Work Session Meeting the various mental health programs that are offered for youth. This discussion would help connect the youth of Leonia to programs that may assist them should they require it.

Mayor Zeigler recommended that the Borough Administrator reach out to the Board of Health and Stigma Free Taskforce to provide information to the Mayor and Council as to this topic.

Councilman Ziegler stated that the reason he wishes to have this discussion is to be informed as to what programs are available and have a further discussion as to the current situation in Leonia.

Councilwoman Davis would bring this discussion item to the Board of Health at their next scheduled meeting.

Fort Lee Road Traffic and Noise Complaints – Councilwoman Terrell

Councilwoman Terrell brought forward discussion as to complaints that are being received regarding consistent honking and other noises related to consistent weekend traffic on Fort Lee Road. Chief of Police Scott Tamagny was made aware of these complaints is taking steps to help deter this behavior. One step taken already was the moving of the message trailer to the corner of Fort Lee Road and Glenwood Avenue, notifying motorists that honking is a violation that is enforceable by the Leonia Police Department. Secondly, an eye will be kept on the situation to see if Police presence is required as a deterrent.

Mayor Zeigler stated that it is important that there be targeted enforcement in various areas around town to prevent motorists from blocking the box.

Council President Flaim noticed within 10 minutes; two separate cars perform illegal U-turns into angled parking spaces on Broad Avenue in the area in front of Borough Hall. Councilwoman Davis mentioned that she saw someone being pulled over today, showing that enforcement is already being performed to correct this issue.

Mayor Zeigler spoke with Senator Johnson as to the various traffic issues within Leonia and has begun forwarding over resident concerns as well. The mayor has requested that Senator Johnson set up two separate meetings with someone from the New Jersey Department of Transportation as well as a member of Mayor Adam's Administration of New York City.

Rent Control and Increases – Mayor Zeigler

Mayor Zeigler has received various e-mails from residents notifying him that landlords have found a way to skirt around rent control. Landlords are availing themselves of the 5% rent increase cap by exponentially increasing the price of garage rentals. Mayor Zeigler believes this is something that should be addressed and that the language of the rent control ordinance must be changed to expand the 5% cap to everything. Mayor Zeigler suggested having the Borough Attorney draft together language and bring it forward to the Law and Ordinances Committee for discussion. Councilwoman Terrell concurred with this sentiment.

It was decided to have a draft ordinance brought before the Mayor and Council for discussion at the October 17, 2022 Work Session.

Borough Attorney Chewcaskie explained that the language should state there should be no change in cost in terms of the existing level of service and that the entire rental unit is covered by the 5% cap.

Closed Session

RES. 2022-225 Authorize Closed Session

[2022-225 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. Lease of Borough Property
- B. Litigation

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 Council President Flaim, seconded by Councilman Ziegler, and all present voting in favor, the meeting was adjourned to the Closed Executive Session at 8:42 p.m.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Terrell, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Jonathan Mandel,
