

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

Mayor Zeigler read the following statement into the record: "In compliance with the provisions of 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 Virtual Meeting was accomplished by virtue of publication of January 11, 2022 edition of the Record, with copies sent to the Star Ledger. Posted on the public bulletin board in 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 Nylema Nabbie Borough Engineer Drew DiSessa Bond Counsel Steve Rogut Borough Clerk Trina Lindsey Tax Assessor Tim Henderson Borough Administrator Andrea Wardrop Recording Secretary Jonathan Mandel

Public Comment

Soo Woo, 120 Maple Street, commented that a zoning change would cause a loss of many trees. She expressed concern over this change and stated that she believes it will cause problems.

Mayor Zeigler clarified that they are not entertaining a zoning change, they are entertaining a recommendation from the planning board to expand the area in need of redevelopment. He continued to say that it is important to understand they are not voting on a zoning change or any form of plan.

Appointments

RES. 2022-96 Appointment of Jonathan Mandel as Deputy Borough Clerk

2022-96 Appointment of Deputy Borough Clerk.pdf

Mayor Zeigler made a comment for the public that it be understood that they have put in place milestones to help expand his professional growth.

Motion by Councilwoman Terrell, second by Councilman Ziegler, that Resolution #2022-96 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

November 22, 2021 Work Session Minutes

Motion by Council President Flaim, second by Councilman Fusco, and all members present voting in favor, that the Minutes of November 22, 2021 Work Session Meeting were approved.

December 20, 2021 Work Session Minutes

Motion by Council President Flaim, second by Councilwoman Terrell, and all members present voting in favor, that the Minutes of December 20, 2021 Work Session Meeting were approved.

Consent Resolutions

Bill List Backup.pdf

RES. 2022-97 Authorize Bill List 2022-97 Authorize Bill List.pdf

RES. 2022-98 Final Payout Request of Unused Paid Time Off

2022-98 Final Payout Request of Unused Paid Time Off.pdf

RES. 2022-99 Final Payout Request for Unused Vacation Days 2022-99 Final Payout Request for Unused Vacation Days.pdf

RES. 2022-100 Request Authorization to Advertise for Certified Chief Financial Officer 2022-100 Request to Advertise for CFO.pdf

RES. 2022-101 Request Authorization to Advertise for Summer DPW Help 2022-101 Request to Advertise for DPW Summer Help.pdf

RES. 2022-102 Current Fund Transfer

2022-102 Current Fund Transfer.pdf

RES. 2022-103 Acceptance of SFY21 Body Worn Camera Grand Award

2022-103 Acceptance of SFY21 Body Worn Camera Grant Award.pdf

RES. 2022-104 Request Authorization to Advertise for DPW Office Manager – Project Assistant

2022-104 Request to Advertise for DPW Office Manager.pdf

RES. 2022-105 Resolution of the Borough of Leonia Authorizing Notice to Bidders for Recreation Roofing Project

2022-105 Authorization to Bid for REC Roof.pdf

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

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

Unfinished Business

Bond Sale – Municipal Building Discussion – Andrea Wardrop

Borough Administrator Wardrop introduced Steve Rogut, Bond Counsel, and explained that they worked together to discuss the amount that should be utilized for the bond sale. She brought up several issues to be discussed, focused around the new municipal building and the bond ordinance made for this purchase.

Bond Counsel Rogut explained that the bids came in under the bond ordinance amount, and offered some plans on what can be done to handle this difference in cost. Bond Counsel Rogut summarized this as the mayor's request; \$240 stick to what you are doing and reduce the amount, \$305 add some stuff to the reduced cost of the building. The amounts reflected the tax impact. He advised that this would need to be decided in a hurray to keep the schedule that is planned.

Councilman Ziegler explained that there is a need to hurray to avoid tax rate increases. He clarified the specifics of the plans, and expressed concern over going to ordinance later for the borough hall renovation.

Bond Counsel Rogut spoke to the trajectory of rates and the possibility of them going up. He stated that we cannot afford from a budget impact standpoint to ordinance everything right now.

Councilman Ziegler said that he is in favor of sticking to the original amount and including what was not included before, the acquisition and the remediation, stating this is how he would do it.

Councilman Fusco expressed that he agrees with Councilman Ziegler and that this move would be appreciated by the tax payers in the long run. He asked Bond Counsel Rogut if the rates were to go down, would we be able to reduce the interest rate.

Bond Counsel Rogut informed that the rates are locked in once the bond is sold, though there would be an opportunity to refinance the debt, but it would be several years down the road.

Council President Flaim asked if there has been any discussion on the timing in terms of the renovation, and on what this renovation would cost.

Mayor Zeigler responded that there is an estimated top line of one million. He continued to state that the timing is irrelevant and that there is an obligation to the employees of Borough Hall to complete the renovation project in a timely manner.

Council President Flaim added that she agrees with this sentiment.

Councilman Grandelis asked on the certainty of the amount, and Mayor Zeigler answered that this number is not certain. Councilman Grandelis responded that this was concerning.

Mayor Zeigler added that if there is anyway to lock in to a set timing for the renovation project, he believes it is something that should be done.

Councilman Ziegler explained the cost of the renovation and the process by which included a walk through of Anthony Iovino, Borough Architect. He explained the cost estimates for the project, and how the cost has changed since an analysis of the scope of asbestos in Borough Hall is more than anticipated. This will add to the overall cost to remediate the asbestos.

Mayor Zeigler asked the council how they wish to proceed.

Administrator Wardrop restated the options for the governing body.

Mayor Zeigler clarified with Bond Counsel Rogut that option one being leave it as is, option two to add in the land acquisition, or option three to add in the land acquisition and the remediation costs, which would require a new ordinance for the remediation.

Council President Flaim clarified the tax impact, and asked how it would be affected if we added in the cost of the Borough Hall renovation.

Bond Counsel Rogut suggested waiting to better understand the renovation before adding that cost in.

Mayor Zeigler clarified three options; option A 10.65 million, option B 10.65 million plus 1.476 million, option C 10.65 million plus 1.476 million plus 300 thousand.

Councilman Grandelis asked about the costs of the Borough Hall renovation, and expressed concern over these costs. He asked why if the cost is at where it is we don't revisit the idea of adding a third floor to the new building.

Mayor Zeigler clarified that we have moved past the option of adding a third floor, the building has already been bid and accepted as is.

Councilwoman Davis asked if the remediation is separate from the renovation or if they can be put together.

Mayor Zeigler explained that the remediation has to be done either way, and the cost is there regardless of the timeline.

Councilman Ziegler asked if the remediation needs a new bond ordinance, would that risk the date of the bond sale.

Mayor Zeigler and Bond Counsel Rogut explained that this would not affect the sale in any major way.

Taken to a vote the decision was as follows; Councilman Ziegler option C, Councilman Grandelis option C, Council President Flaim option C, Councilwoman Davis option C, Councilman Fusco option C, and Councilwoman Terrell option C.

Councilwoman Terrell asked why we can not use the money already authorized instead of having to make a new bond ordinance.

Mr. Rogut explained that the specific option being referenced is from a memo adding both the remediation and the renovation, which there is not amount designated for, meaning a new bond ordinance would have to be created.

Mayor Zeigler stated the decision being in favor of option C.

Fires in Leonia Parks – Joanne Terrell

Councilwoman Terrell explained that the current ordinance allows for a picnic grill in the park upon application of a permit. Fire Marshal Dave Haenelt gave his strong recommendation that this be changed to remove use of any flame creating device from the parks.

Mayor Zeigler asked if this would affect that the fire department could not grill in the park.

Fire Marshal Haenelt clarified that the device they use is a permanent fixture in the park.

Mayor Zeigler responded that we clarify the wording and be careful with that wording on how we handle this.

Fire Marshal Haenelt explained that he wants to eliminate small uses of fire-based devices. This would prohibit individuals to hold private events with open flames in the parks. Fire Marshal Haenelt is requesting that the ordinance be more enforced.

Councilman Grandelis confirmed that the current ordinance does not allow open flames in the parks unless a permit is acquired.

Fire Marshal Haenelt explained that a public event is a permitted process, but private individuals and private events should be prohibited from acquiring these permits.

Councilwoman Terrell corrected that the ordinance does not prohibit a private individual.

Fire Marshal Haenelt stated that there are not fixed grills in the parks in Leonia.

Councilwoman Terrell offered that the current wording on the ordinance is not clear.

Fire Marshal Haenelt stated that he will not be issuing permits for private events.

Mayor Zeigler said that we need to change the ordinance to accommodate the requests being made in a clear way.

Mayor Zeigler, Councilwoman Terrell and Fire Marshal Haenelt discussed the wording of the ordinance and how it could be amended to accommodate these needs and address these problems.

Councilwoman Davis clarified with Mayor Zeigler whether this discussion had anything to do with fixed grills and the types of grills permitted, and Mayor Zeigler clarified that this is not about that, and instead about limiting who is allowed to apply for a permit for use of a grill in parks.

Fire Marshal Haenelt asked if banning private cooking devices and portable fire devices in the parks.

Mayor Zeigler expressed that this wording creates problems for the town's public events. He expressed that either way the ordinance has to be amended.

Mayor Zeigler offered that Councilwoman Terrell take this back to the committee and discuss the change.

Reevaluation Discussion – Nylema Nabbie / Tim Henderson

Borough Attorney Nylema Nabbie explained that a PowerPoint presentation was created as a reference point for the governing body to view.

Tax Assessor Henderson explained that a revaluation has been ordered as necessary, the last revaluation was in 2009. Due to the fact that this has been ordered, the borough has two options. He explained those two options. He recommended updating tax maps due to the length of time since the last update. He suggested that the option taken should be to do the entire revaluation at one time as opposed to over five years.

Mayor Zeigler asked if the five-year revaluation is normally done in municipalities with large commercial bases. Tax Assessor Henderson confirmed this as accurate.

Borough Attorney Nabbie asked if for the revaluation an outside company is involved, and he confirmed this is accurate. She also clarified the process on which this takes place.

Mayor Zeigler confirmed that during the revaluation there is no legal requirement to give access to this outside company. Tax Assessor Henderson confirmed this but explained that

if they do not give access then the company has the right to assess the home based on maximums.

Councilwoman Davis asked if the residents will be alerted of this process.

Tax Assessor Henderson confirmed that the company send letters to the residents and they are given the opportunity to call and plan around this.

Mayor Zeigler added that it is important that we make every effort to alert the residents of this process.

Councilman Ziegler asked if it is within the right of the assessors to alert the towns of any illegal conversions.

Tax Assessor Henderson answered that yes this is something that the assessors can do during the revaluation.

Councilman Ziegler went on to ask if the assessor saw any criminal activity, does the law state this is private property and cannot report this.

Tax Assessor Henderson responded that he would need to look into this and answer at another time.

Councilman Fusco offered that another issue here is Airbnb's in Leonia.

Mayor Zeigler stated that this is harder for someone to determine.

Mayor Zeigler went on to ask the governing body if they would like to go with the revaluation or the rolling reassessment. Everyone in attendance was in agreement to do the revaluation.

Council President Flaim asked for clarification on the year this would take place. Mayor Zeigler stated this is a discussion for another time.

Block 1213 Lots 3&4 (266 / 256 Grand Avenue) Redevelopment - Nylema Nabbie

Borough Attorney Nylema Nabbie explained that there are two lots that the planning board is recommending be added to the area in need of redevelopment, and asked if the governing body would accept or reject this recommendation.

Mayor Zeigler clarified that this would extend the area in need of redevelopment. He also asked that it be clarified that designating these areas does not open the area to be altered.

Borough Attorney Nabbie confirmed that this is just the first step.

Mayor Zeigler also confirmed that after this the planning board would have to make recommendations on any zoning changes, and all of this would be open for public discussion before any steps of moves would be taken.

Borough Attorney Nabbie confirmed that this is the case. There are a lot of steps before actual redevelopment would begin.

Mayor Zeigler confirmed that the first step is that the area be studied so that the area can be designated.

Borough Attorney Nabbie added that all of these steps so far have been held at public meetings where the public could participate and speak about.

Mayor Zeigler responded that the public had a fair point over the use of block and lot as opposed to street address, but that this is not the end and there will be ample opportunity for the public to participate in the future. He also said that the governing body has had no conversations on what the plans are for these areas are.

Councilwoman Terrell commented that it would be helpful for members of the public if we could give more detail on when these opportunities would be.

Mayor Zeigler answered that he does not have an exact date, but the next step would be a planning board meeting. He went on to mention several other steps as to when people could participate.

Borough Attorney Nabbie confirmed the mayor's statements.

Councilwoman Davis asked what the benefit of adding this area is.

Mayor Zeigler answered that this can potentially encourage more development, and also allows the municipality to enter into agreements to foster such development.

Councilwoman Davis asked if there is a vulnerable period where if a developer comes to the governing body if there is any risk.

Borough Attorney Nabbie stated that her firm prepared a sheet that outlines the process.

Mayor Zeigler asked if there is a potential that the borough would be vulnerable for overdevelopment that they could not turn away.

Councilwoman Davis emphasized this question and the importance of it.

Borough Attorney Nabbie responded that there is no greater risk for making this determination.

Councilman Fusco added that even if the area is declared in need of redevelopment this does not mean people can work outside the scope of the zone.

Councilwoman Davis added that this is a good idea and very necessary for the town. She stressed that she wants to make sure that the town is still in control of the zoning. Borough Attorney Nabbie confirmed this.

Councilman Fusco commented that he is in favor of extending the area, but his concern is with the current climate of affordable housing. He asked if a developer could theoretically force redevelopment through a lawsuit causing greater density.

Mayor Zeigler stated that this is not an issue of this recommendation, doing this does not change the possibility of this.

Councilman Ziegler stated that this is an important discussion. He stated that a specific area was already a part of the area in need of redevelopment, but he did not believe this was the case. He added that he intends to not accept the recommendation of the planning board because his concern is that we have to be really careful of what we do in respect to zoning. He stated that opening this door is a slippery slope. He expressed that he does not want the zoning on this neighborhood to change.

Councilwoman Davis asked for clarification on the neighborhood and zoning, and the mayor answered.

Mayor Zeigler clarified that quality development has come from things like this. Not every area in need of redevelopment ends in large developments. He expressed that he believes there is no danger in declaring this an area in need of redevelopment than if we did not. This is about taking steps. He then asked Borough Attorney Nabbie of the next steps.

Borough Attorney Nabbie offered that it would be put to resolution, but the council could vote on it tonight if they wished.

Mayor Zeigler expressed that he would like a written resolution for this matter for the next meeting. He asked the governing body if they would like a resolution put in place to approve or deny the area in question. The governing body stated the following, Councilman Ziegler no, Council President Flaim yes, Councilwoman Terrell yes, Councilman Fusco yes, Councilman Grandelis yes. Mayor Zeigler asked that a resolution be created to approve the area in need of redevelopment at the next meeting.

Meeting Extended

Motion by Councilwoman Terrell, second by Councilman Grandelis, to extend the meeting until 10:30 pm.

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

Leonia Day Discussion – Louis Grandelis

Councilman Grandelis explained that after a conversation about the Shade Tree Commission expressing not wanting to handle Leonia Day, he believed that the Recreation Commission would be a good fit. He sat down with the Shade Tree Commission, Recreation Commission and the Recreation department. He spoke on ideas presented and the plan for this year's Leonia Day. He stated that this group of people would come together to plan the event for this year, but would like to discuss how it should be handled moving forward in future years. He suggested combining Leonia Day with another celebration in Leonia. He also offered that the instead of one commission handling the event every year, that the responsibility could rotate through all the various commission.

Mayor Zeigler responded that combining the two events makes sense, and that he prefers that Leonia Day stay in May. He continued to state that rotating the organizations is not a good idea. He suggested that instead we designate a person from one of these commissions to serve on a Leonia Day Committee, overseen by the Recreation Commission. The Governing Body agreed with this decision to create a committee to oversee Leonia Day.

Alternate Side of the Street Parking – Mayor Zeigler

Mayor Zeigler asked if we had finalized the ordinance for alternate side parking, and Councilwoman Terrell confirmed we had, but we were currently waiting for signs.

Mayor Zeigler asked if we had an estimated time of arrival (E.T.A.) on the signs.

Borough Administrator Wardrop stated that the signs have been ordered and we have been waiting for three months, but that it is in progress, but there is not updated E.T.A.

Mayor Zeigler asked if an E.T.A. could be obtained and circulated and the Administrator agreed.

Monopole Proposal – Pasquale Fusco

Councilman Fusco stated that he is still working on the proposal for the Monopole and would hopefully have it ready to be presented at the next meeting.

New Business

Tax Assessor Information: Irregular Borough-Owned Property Parcels – Bill Ziegler

Councilman Ziegler spoke that the borough owns parcels in town that are adjacent to a private property and these parcels have been subsumed by the private property owners. He understands that if these parcels are not regularly addressed, they can be claimed by private properties. He went on to speak of a time in the past where these parcels were sold off, in order to make them taxable properties so that the owners were not benefitting at no cost.

Mayor Zeigler confirmed this as happening and explained that often this is an issue, where private owners use and benefit from the land without ownership. He expressed his belief in this being an issue and asked what we can do about this.

Councilman Ziegler requested a list of these properties so that the borough can address the properties.

Mayor Zeigler offered that a list was given to the governing body.

Borough Attorney Nabbie offered to speak with Tax Assessor Henderson and make a report on these properties.

Mayor Zeigler suggested that this be moved onto the next work session meeting for discussion.

Critical Storm Water Infrastructure Discussion – Drew DiSessa

Borough Engineer DiSessa explained that the borough has a storm water collection system. During hurricane Ida there was some problem areas located. Borough Engineer DiSessa did some research on this. He explained his findings to the governing body. He spoke on the main focus in his plan to perform a drainage study in Leonia. He stated his plans on how to improve the infrastructure through this drainage study.

Mayor Zeigler stated that there is another area that the Engineer should look into as well. Borough Engineer DiSessa agreed to add this to study.

Mayor Zeigler confirmed that there would be a formal proposal, and Borough Engineer DiSessa informed that this should be achieved in the next couple weeks.

Councilman Ziegler confirmed the importance of the mayor's addition and asked the Borough Engineer if he received the old map that could help in his study. Borough Engineer DiSessa responded that he did not receive the map but he will look into it.

Council President Flaim asked if anyone has looked into water coming from Fort Lee.

Borough Engineer DiSessa agreed to put this area mentioned onto the list as well.

Councilwoman Davis expressed concern for this are as well.

Mayor Zeigler asked if we were sure we were paying for what we should be paying for in regards to Fort Lee.

Borough Engineer DiSessa answered that this will be a part of the study and we will know more after the study.

Parking in Elm Street Lot: Recreational Vehicles and Trailers – Joanne Terrell

Councilwoman Terrell explained that the ordinance for Elm Place parking lot does not address recreational vehicles and trailers. She stated that she would like to address this gap, and asked the governing body if they believe recreational vehicles need to be restricted from using this parking lot.

Mayor Zeigler expanded on this offering that a precedent of price was already set for commercial vehicles, and asked if the governing body wanted to do something similar or prohibit these other vehicles. He offered his opinion that the lot should not offer parking to these other vehicles.

Councilwoman Davis expressed concern that these oversize vehicles would encumber the lot in a way that makes it less accessible. She stated that she is in favor of prohibiting these vehicles.

Mayor Zeigler agreed that this creates a liability issue.

Councilman Ziegler agreed that it is a good idea to prohibit these vehicles.

Mayor Zeigler stated that he believes the ordinance should be amended to prohibit these types of recreational vehicles.

Councilwoman Terrell clarified if she should be prohibiting all oversize vehicles or just residential recreational ones.

Mayor Zeigler expressed that it should be all.

Councilwoman Davis asked the Borough Administrator what the revenue received from allowing commercial vehicles has been.

Borough Administrator Wardrop stated that she will get the information to the governing body.

CFO Pending Vacancy Discussion – Bernadette Flaim / Andrea Wardrop

Borough Administrator Wardrop explained that today the governing body authorized permission to advertise for the position of Chief Financial Officer (CFO). She explained that there is a shortage of CFOs and that they often work part time. She asked the governing body to help discuss how they could find a new CFO. She expressed concern in hiring a part time CFO. She explained a few options on who the borough could seek out. She expressed her opinion is that the borough needs a full-time CFO.

Mayor Zeigler stated that the borough has had a full-time CFO before and that they have not had a full-time amount of work. He expressed that this could be solved with hiring more staff if that is necessary and getting a part-time CFO. He stated that he does not believe that the borough should hire a full-time CFO.

Councilman Ziegler stated that we have exhausted the CFO possibilities, and that he does not believe that the borough can afford a full-time CFO. He said he prefers another shared service agreement, or hiring someone who is new and learning.

Council President Flaim stated that having leadership and supervision is important, and if they were to bring in someone who is new and uncertified that they should become certified within a set period of time. She also stated that now that we can advertise, the response we will receive will dictate what their options are.

Borough Administrator Wardrop responded that the non-certified person could be appointed for one year and up to two one-year terms following that. After that they would need to become certified.

Councilwoman Terrell added that this was discussed during the HR committee, and she stated that the milestones system that is being used for the Deputy Clerk could also be used for a person like this. She expressed that the current staff may be in need of more seasoned professionals and not at the CFO level.

Councilman Grandelis stated that we need to do an organizational analysis to determine if all of the roles currently need to be shifted or changed. He expressed that he believes we need someone with experience in the role and that we do not need someone full-time.

Councilman Fusco added that he agrees with Councilman Ziegler's opinion on the matter.

Animal Licensing / Registrar Concerns – Maureen Davis / Bernadette Flaim / Andrea Wardrop

Mayor Zeigler decided to push this discussion to the next mayor and council meeting.

Telecommunications Proposal: Hoplite Communications: Peter Lupo – Nylema Nabbie

Mayor Zeigler decided to push this discussion to the next mayor and council meeting.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Davis, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Jonathan Mandel,