



BOROUGH OF LEONIA

COUNCIL- Regular Meeting
~ Minutes ~

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

April 4, 2022

7:30 pm

Leonía Senior Center

A Regular Meeting of the Mayor and Council of the Borough of Leonía was held in person at the Leonía Senior Center at 305 Beechwood Place, Leonía, NJ, and virtually via GoToMeeting on April 4, 2022. The meeting was called to order at 7:30 by Mayor Zeigler.

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

Mayor Zeigler read the following statement: "The conditions of the open meeting act have been met by notice placed on the bulletin board at Borough Hall as well as the Borough website. Notice has also been published in the Bergen Record with copies sent to the Star Ledger."

PRESENT: Mayor Judah Zeigler, Council President Bernadette Flaim,
Councilwoman Maureen Davis, Councilman Pasquale Fusco,
Councilman Grandelis, Councilwoman Terrell, Councilman Ziegler

ABSENT:

ALSO PRESENT: Borough Administrator Andrea Wardrop
Borough Attorney Brian Chewcaskie
Borough Auditor Ralph Piccone
Deputy Borough Clerk Jonathan Mandel

Public Comment

Alec Melman, 172 Highwood Avenue, wished to have some closure as to the status of the curb outs and construction happening on Park and Broad Avenue.

Borough Administrator Andrea Wardrop has been in contact with Borough Engineer Drew Di Sessa, who explained that it is still an ongoing process and will certainly take place in the near future. The email conversation shall be forwarded to Mr. Melman for his review.

Approval of Minutes

Motion by Council President Flaim, second by Councilwoman Terrell, and all members present voting in favor, that the Minutes of March 7, 2022 Regular Meeting were approved.

Reports

Council President Flaim

Library Board of Trustees

The Library Board of Trustees shall be meeting on April 6, 2022 with Council President Flaim in attendance.

In regards to the meeting held on March 9, 2022 there is an increase in walk-in traffic and participation in the various special events and programs conducted by the library.

Mask requirements are now optional throughout the library, except in the children's room.

Aggressive recruitment has been held to find a replacement for a staff member who shall be leaving soon.

Finance & Human Resources Committee

In regards to the recruitment of a new Chief Financial Officer, more discussion shall be had along with discussion from Auditor Piccone for the adoption of the 2022 Operating Budget.

Councilwoman Davis

Board of Health

Councilwoman Davis was in attendance for the Board of Health March meeting. The Board of Health is working hard to fill the vacancy left by the retirement of the previous Borough Nurse. Options explored include an agreement with Holy Name Hospital to have a nurse serve on a part-time basis for Leonia.

There is a desire to hire a Health Educator to help fill in some of the roles that were fulfilled by the prior position of Borough Nurse, such as health clinics.

Police Committee

Please see attached the March 2022 Police Committee Report



Mayor Zeigler commended the members of the Police Department who participated in the investigation of a recent murder occurring within Leonia.

Councilman Fusco

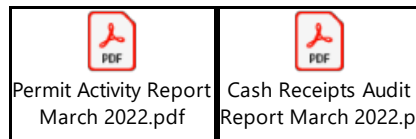
Department of Public Works

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



Building Department

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



Planning Board

The Planning Board reviewed and adopted a new municipal plan provided by the Borough Planners H2M. It is ready to be sent to the Mayor and Council for review and adoption.

Councilman Fusco commended Chairman Mike DeGidio and his subcommittee for their great work.

All other Planning Board items were pushed to the month of April, where any outstanding cases will be held.

Councilman Ziegler wished to know if there was any information yet as to what will be entering and replacing the vacant B&B Bakery store and the vacated dental office across the street. A sushi restaurant is proposed to take the place of B&B Bakery, which has been approved. The vacated dental office will be occupied by a sandwich restaurant run by Leonia resident, Ron Wolf.

Councilman Grandelis**EMS**

As the March report is still in the process of creation, Councilman Grandelis presented the February EMS report to the Mayor and Council.

Englewood Hospital EMS is currently still operating from the Leonia Library basement, until a time as such when a permanent solution is created in the Senior Center.

Recreation Commission

The Recreation Commission met on March 15, 2022 with the next meeting scheduled for April 19, 2022 at 7:00 PM.

The Summer Camp discount period has ended for Leonia residents, with 158 registrants for the summer camp, with 29 for the ACS minicamp. Registration for the summer camp shall be closed on April the 30th. Registration levels are equivalent to pre-pandemic levels, with it expected to exceed even further.

The Annual Spring celebration shall be on April 9, with egg hunts and other festivities.

The pool discount for Leonia residents shall end on April 30th.

With the Spring Program, there is a vast number of new activities for Leonia Residents to take part in.

Fire Department

Due to a reoccurring issue with data extraction, the statistics for February, March, and April shall be provided at the next Mayor and Council Meeting in May.

Councilwoman Terrell**Board of Education**

As of March 14, 2022, all schools in Leonia have been mask optional for students.

The preliminary budget for the Board of Education has been passed, with information regarding it being available on the Board of Education's website.

Law and Ordinances Committee

The Fire Marshall spoke with the Law and Ordinances Committee in regards to potential changes to regulations surrounding cooking in Borough parks.

Councilman Ziegler**Facilities Committee**

Awarding of the new municipal building contract has been awarded to GPC Inc., which is a woman-owned business. A formal groundbreaking ceremony shall be on May 15, 2022, on Leonia Day with work officially starting earlier.

Financing has been on track for the municipal building project, with an ordinance being introduced at this meeting for the remediation of asbestos within the Borough Hall. It is expected that \$300,000 for this project shall be enough to fund the costs of this subsequent project. Unfortunately, interest rates are higher but the principal is lower, which on the other hand is good news for the municipal building project.

Change Orders shall be introduced and adopted during this meeting for the remediation contamination at the former ambulance corps building, as it was much worse than expected.

Historic Preservation Commission

Currently, there are 3,000 members in the Historic Preservation Commissions Facebook group, with many members being active in the community.

There shall be searches into the records in the basement of the Borough Hall, to ensure no important historical documents are inadvertently shredded.

A discussion was held as to mold contamination in the archives room of the library, which can hopefully be remediated.

Environmental Commission

As requested by Councilman Fusco, a discussion was held as to potentially more efficient garbage collection methods that can be adopted by the Department of Public Works.

A discussion was held as to Sustainable Jersey, and DPW Superintendent John Villareal was asked to distribute the latest recycling reports on a quarterly basis to the environmental commission.

Shade Tree Commission

A discussion was held as to a list of trees that had the potential to be removed, due to causing various infrastructure issues.

30+ trees are expected to be planted in the spring, including the public planting program introduced by the Shade Tree Commission.

Further discussion as to Leonia Day and the 34th consecutive year of designation by Tree City USA of the Borough of Leonia was held.

Borough Administrator's Report

In regards to the Municipal Building, project team meetings continue every Tuesday morning with a tentative meeting with the contractor expected to be held.

The proposed town hall meeting has been rescheduled to April 20, 2022 due to a scheduling conflict, with notice through Nixle being provided to the public notifying them of this change.

Borough cybersecurity is continued to be improved upon with the Borough Administrator working closely with an individual from the Department of Homeland Security.

The Borough continues to work with Zimick Electric to provide a quote to create a conduit to provide electricity to all future EV Charging stations proposed

This evening, Auditor Ralph Piccone shall be providing more information as to the annual financial statement before the Operating Budget can be completed and submitted to the Mayor and Council for adoption, projected to be April 18, 2022.

Recruitment efforts continue for the Department of Public Works, with a rescindment of a chosen candidate's application and further discussion being necessary as to the application of another. There are a number of other candidates for the position and the recruitment efforts shall continue. The DPW Office Manager position has already received applications, with a potential candidate already interviewed and expected to be brought before the DPW.

Advertisement notice for a CFO vacancy has been placed on the League of Municipalities website. An email has already been received from another municipality potentially interested in a shared service agreement, with a further discussion being necessary.

Continued work has been performed with Granicus to try and get their live manager streaming service to work within the Senior Center.

The Borough Administrator has been working with Teaneck for a shared service agreement regarding the use of their courts.

Before remediation can be performed within the Borough Hall, the basement must be cleared of all its records. Contact has been maintained with a shredding company who will come in to shred documents that have been approved by the state to be destroyed. Borough Historian David Braun has been contacted to review the documents within the basement and ensure no historical documents are accidentally shredded.

Borough Administrator Wardrop is reaching out to potential volunteers to help with the springtime planting in front of the Borough Hall.

Borough Attorney's Report

Borough Attorney Brian Chewcaskie made mention of the redevelopment resolution, with the procedure being provided to the Mayor and Council.

An agreement was drafted for the municipal court agreement with Teaneck, as mentioned by the Borough Administrator.

The Borough Attorney shall be holding a discussion with consultant Peter Lupo, in regards to the proposed AT&T modifications to the cellular tower on the roof of the Fire Department.

Mayor Zeigler mentioned that the lack of action by the Appellate Division in regards to traffic issues being faced by the Borough is rather disconcerting, asking if the Appellate Division is directly connected to the Supreme Court. Borough Attorney Chewcaskie confirmed the connection between the two government entities and confirmed that at this moment the Borough has no real recourse at this moment. Mayor Zeigler stated that the lack of action is not just an inconvenience, but a clear and present danger as traffic safety issues in Leonia has already led to the loss of life.

Councilman Ziegler wished to make sure that lease fees are being collected from Downes Tree Service and AT&T, which was confirmed by the Borough Attorney. Borough Attorney Chewcaskie however mentioned that these lease fees must be increased.

Councilman Ziegler also had questions in regards to an OPRA complaint regarding Police records of separations and wanted to know if it was a problem the Police Committee should be working on. Borough Attorney Chewcaskie made mention that these are standard to be served to municipalities by the group and is not something to be made of concern to the Police Committee. Borough Attorney Chewcaskie made mention of the process of the Government Records Council and confirmed that there is nothing in particular that is unique to the Borough of Leonia in regards to this OPRA request.

Introduction of Ordinances**Ordinance 2022-05**

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

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE REMEDIATION PHASE OF THE BOROUGH HALL RENOVATION PROJECT IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 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 ordinance was made by the Boroughs Bond Counsel Steve Rogut under permission given by the Mayor and Council. The purpose of ORD. 2022-05 is to allow for the financing of the remediation necessary to be made to the Leonia Borough Hall.

Motion by Councilman Ziegler, Second by Councilman Fusco that ORD. 2022-05 be introduced and passed on first reading, and setting April 18, 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

Non-Consent Resolutions

RES. 2022-107 Redevelopment Block 1213 Lots 3&4 (266/256 Grand Ave) [2022-107 Redevelopment.pdf](#)

Mayor Zeigler explained that RES. 2022-107 was discussed and agreed upon by the majority of the Mayor and Council at the March 21, 2022 Work Session Meeting to be placed on the agenda for April 4, 2022. The purpose of RES. 2022-107 is to declare Block 1213 Lots 3&4 (266/256 Grand Ave) as areas in need of redevelopment.

Motion by Council President Flaim, Second by Councilwoman Davis for RES. 2022-107 be approved.

Mayor Zeigler opened up the floor for any potential further discussion as to RES. 2022-107.

Councilman Ziegler agreed with Mayor Zeigler's earlier sentiment on commending the Planning Board for their hard work in creating the Borough Master Plan and wished to comment upon the primary land use objective of maintaining existing residential neighborhoods. Councilman Ziegler mentioned that very rarely is an A3 residential area redesignated as another area type, and while it is a long and arduous process to allow for development, he feels that it is best to leave the area as is as an A3 residential area. Councilman Ziegler's concerns lie in the neighborhood and wish that extra precaution that the Borough not fall down a slippery slope to preserve existing neighborhoods.

Mayor Zeigler clarified that this is not exactly a slippery slope situation as this is only the first step of a long process and that while something may not have been done in the past, it does not necessarily mean that it should not be done now. Healthy debate and public engagement are the best actions to take in order to ensure this situation is handled properly and with the taxpayer's best interests in mind.

Borough Attorney Chewcaskie as a final comment on the matter stated that the Borough is in possession of a very qualified and respected planner to help with the redevelopment plan and process. The properties in question are evaluated with respect to other areas in redevelopment and the process shall be truly transparent with any questions or concerns the public arises to be addressed respectfully.

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	no

RES. 2022-108 Resolution in Support for Bail Reform Measures

2022-108 Resolution in Support of Bail Reform Measures.pdf

Mayor Zeigler stated that RES. 2022-108 is up for non-consent as the Mayor and Council have not yet had the chance to discuss it during a Work Session meeting. It was explained that mirroring a resolution provided to the Borough by the Borough of Saddle River expressing support for the urgent need for bail reform. While the recent changes in bail reform had the right intention in mind the statutes themselves are messy, leading to many violent offenders being repeatedly released with little to no bail. Mayor Zeigler feels that support for changes is of utmost importance and that lawmakers must be urged to relook at the current statutes and fix many of the most critical issues.

Motion by Councilwoman Davis, Second by Councilman Grandelis that RES. 2022-108 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

Consent Resolutions

RES. 2022-109 Authorize Bill List

[2022-109 Bill List Backup.pdf](#)

[2022-109 Authorize Bill List.pdf](#)

RES. 2022-110 GZA Environmental – Ambulance Corps Change Order

[2022-110 GZA Environmental Change Order No. 2 Ambulance Corps Remediation.pdf](#)

RES. 2022-111 GZA Environmental – 245-247 Fort Lee Road Change Order
[2022-111 GZA Environmental Change Order No. 2 245-247 Fort Lee Road Properties Remediation.pdf](#)

RES. 2022-112 GZA Environmental – Yamato Site Change Order
[2022-112 GZA Environmental Change Order No. 2 Yamato Site \\$12,190.pdf](#)

RES 2022-113 PSEG – Electric Distribution Company Aggregation Agreement
[2022-113 Renewable Energy PSEG.pdf](#)

RES 2022-114 Services Agreement Professional Energy Consulting Services – Energy Aggregation
[2022-114 Renewable Energy Service Agreement.pdf](#)

RES. 2022-115 Authorize Leonia Fire Chief to Execute a Contract for Live Burn Training in Orange County
[2022-115 Authorize Leonia Fire Chief to Execute a Contract for Live Burn Training in Orange County.pdf](#)

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

RES. 2022-109 Authorize Bill List
[2022-109 Bill List Backup.pdf](#)
[2022-109 Authorize Bill List.pdf](#)

Pulled for a Separate Vote.

Motion by Councilwoman Davis, second by Council President Flaim, that the RES. 2022-109 be approved.

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

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

Councilman Fusco: aye

Councilman Ziegler: aye

Unfinished Business

Hoplite – 5G – Peter Lupo

Borough Attorney Brian Chewcaskie explained that due to recent requests from AT&T to upgrade the cellular tower on top of the Firehouse with 5G technologies that are believed to exceed the scope of the lease agreement. Mr. Peter Lupo was requested by the Borough Attorney for his knowledge regarding statues and any recent changes for 5G technologies. At the next meeting, the Borough Attorney will give more information and provide the service agreement with Mr. Lupo, should the Mayor and Council agree to move forward.

Mayor Zeigler, due to his own experience in the tech industry, understands that it is a very rapidly changing field and that Mr. Lupo's consulting services are invaluable to make sure Leonia is up to speed with ordinances and other guidelines.

There were no objections to introduce a resolution accepting the agreement at the April 18, 2022 Mayor and Council Work Session.

Animal Licensing/Registrar Discussion – Board of Health – Maureen Davis/Andrea Wardrop

The Board of Health held discussion related to advertising soon to hire a registrar, working with Council President Flaim and Borough Administrator Wardrop in regards to potentially adding new positions to the salary ordinance. During the discussion, it was found that part-time was not necessarily needed but there was a need to have regular hours for the public along with scheduled meetings through email. Many other municipalities have registrar hours that are by appointment, but it is desired to have regular hours as well.

Mayor Zeigler asked if this is reflected in the Board of Health's 2022 Budget Report. Councilwoman Davis replied that the discussion has not yet been held, but one is soon to be scheduled with Council President Flaim and the Borough Administrator. Councilwoman Davis questioned Council President Flaim as to when the meeting must be held by. Both Council President Flaim and Borough Administrator Wardrop requested that the meeting be hosted soon in order to fit in with the budget schedule. Councilwoman Davis stated she will reach out to the Board of Health once more to see if she can expediate the scheduling of a meeting before budget adoption.

Mayor Zeigler asked Borough Attorney Chewcaskie if the registrar must function within the Board of Health, which he confirmed.

Borough Administrator Wardrop raised the major concern that checks are currently sitting without being processed due to the lack of a registrar. Mayor Zeigler asked if

any Borough Hall employees are currently certified, to which it was answered by the Borough Administrator that there are not.

Mayor Zeigler advised that the Borough Hall staff deposit the checks and if necessary refunds can be issued if there is a problem with the application. The Borough Attorney had no issues with this but raised the concern that if checks are deposited there may be an expectation to receive the licenses immediately. It was recommended that an announcement be made on the website notifying the public that licenses may take time to process.

Councilman Grandelis suggested that in subsequent years the licensing process be done entirely through the GovPilot System used by the Borough of Leonia.

Mayor Zeigler asked if the Board of Health has yet advertised for the position of registrar, to which it was answered by Councilwoman Davis that they have not. Mayor Zeigler also requested that the President of the Board of Health to appear at the next Mayor and Council Meeting hosted on April 18, 2022.

New Business

Leonia Pride 2022 – Maureen Davis

Councilwoman Davis received an email from Dan Pasky and Stigma Free in regards to the planned Pride Event to be hosted on June 12, 2022. Elementary is expected to return. It shall be hosted in Wood Park but in the case of rain shall be moved into the Recreation Center.

Shared Service Agreement – Municipal Court Services – Andrea Wardrop/Brian Chewcaskie

Borough Attorney Brian Chewcaskie created a draft agreement to accept an offer from the Township of Teaneck, who shall allow for the use of their facilities for \$1,000 per session. Court Administrator Cherron Gil has identified 8 court sessions that are required to be hosted by the end of the year.

Mayor Zeigler made note that Fort Lee was charging a substantial amount more than what Teaneck shall be charging.

The Borough Administrator made note that there is expected to be between six or seven more sessions that can occur, depending on the rest of the year.

Borough Attorney Chewcaskie stated that the agreement is a very good deal and that many court cases can be hosted online, other than a select few that must be handled within person.

There was no objection to having a resolution prepared for the April 18, 2022 Mayor and Council Meeting for adoption.

Requests for Future New Business Items

Councilman Ziegler requested that multiple items be added to a future agenda. The topics requested for discussion include:

- When does a construction site become a property maintenance issue?
- Relationship between property maintenance and construction permit enforcement.
- Redevelopment plan for the Fort Lee Road carter.

Closed Session

Motion by Council President Flaim, Second by Councilwoman Terrell, and with all in favor the meeting entered Closed Session at 8:53 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. Potential Litigation

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 the meeting.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilman Fusco, and unanimously carried, to adjourn this meeting. The meeting adjourned at 9:34 PM.