

1 **Council Meeting/Work Session**
2 **Minutes**
3 **September 7, 2011**
4

5 *A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County,*
6 *New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:30 pm.*

7 Mayor Heveran called the meeting to order.

8 Mayor Mary Heveran asked everyone to stand while Council President Raucci led in the
9 Pledge of Allegiance.

10 **Council Present:** *Mayor Heveran, Councilpersons, Raucci, Choi, De Simone,*
11 *Hawkins, Knott, Whitter*

12
13 **Council Absent:** *none*

14
15 **Also Present:** *Brian Giblin, Borough Attorney, Jack Terhune, Borough*
16 *Administrator, Fran Lehmann, Borough Clerk, Lynn Hemmer,*
17 *Deputy Borough Clerk*

18
19 **Absent:** *none*
20

21 **OPEN MEETING STATEMENT**

22 Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin
23 Board at Borough Hall and notices sent to the Official Newspaper.
24

25 **APPOINTMENT**
26

27 **PRESENTATION**
28

29 **PUBLIC COMMENTS**
30

31 Doug Salmon, 220 Harrison Street spoke about recycling.
32

33 John Stendor, 314 Crescent Avenue – Mr. Stendor commended the DPW for an
34 outstanding job during the hurricane.
35

36 Leah Roland, 326 Crescent Avenue – Mrs. Roland thanked the Governing Body for
37 looking into ways to reduce the budget. However, in the changing of the dispatch to the
38 County it would have been better to know sooner than later. After 4:30PM there is no one
39 at the desk and some residents don't understand that they have to use the phone to contact
40 someone for the police department.
41

42 John Ruane, 100 Knapp Terrace spoke about Mr. Peters, and the assistance he received
43 from him after his house fire.
44

45 Mr. Calligare, 248 Fort Lee Road; spoke on behalf of Mr. Peters.

46

47 Steve Hutnick, 262 Leonia Avenue – Mr. Hutnick spoke on behalf of Mr. Peters.

48

49 **APPROVAL OF MINUTES**

50 **Council Meeting August 1, 2011** – Council President Raucci, seconded by Councilman
51 Choi, made a motion to approve the Minutes of August 1, 2011. Roll call vote; all in favor
52 none opposed. Minutes approved.

53

54 **Closed Session Minutes August 1, 200** – Councilman Choi made a motion to approve the
55 Closed Session Minutes of August 1, 2011, seconded by Council President Raucci Roll
56 call vote; all in favor none opposed. Minutes approved.

57

58 **RESOLUTIONS**

59 **Resolutions 11-175, 11-180 and 11-181** Councilman Hawkins asked for a clarification to
60 these resolutions. Councilman inquired if both ambulances needed to be auctioned. Mr.
61 Terhune stated no we can just auction one. Councilman Hawkins inquired why the bids for
62 the forestry truck were being rejected. Mr. Terhune explained the bid came in over the
63 amount that was budgeted. Councilman Hawkins inquired when the work was scheduled
64 to begin on the Beechwood Place Parking Lot. Mr. Terhune stated approximately one
65 month. Councilman Hawkins asked if Laws and Ordinances could look at a way either
66 install meters or a kiosk where a ticket could be obtained on entering. Need to prevent this
67 parking lot from becoming an overnight parking area. Laws & Ordinances will report at the
68 next meeting.

69

70 **Resolution 11-181** – Councilman Choi inquired about the reduction. Mr. Terhune
71 explained how it occurred.

72

73 **Resolutions 11-167 through 11-185** – Council President Raucci, seconded by Councilman
74 Choi made a motion to approve the resolutions, Roll call vote all in favor none opposed.

75

76 **INTRODUCTION OF ORDINANCE**

77

Introduction of Ordinance 12-11 entitled:

78

**ORDINANCE TO AMEND THE ARTICLE V OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “UNIFORM FIRE CODE”**

79

80

Borough Clerk read by Title

81

82

A motion was made by Council President Raucci, seconded by Councilman
83 Choi to adopt on first reading Ordinance 12-11

84

85

Roll call vote: Councilpersons Raucci, Choi, De Simone, Knott and Whitter.
86 Councilman Hawkins abstained. Ordinance 12-11 introduced.

87

88

89

90

91 Introduction of Ordinance 13-11 entitled:
92 **AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE**
93 **BOROUGH OF LEONIA TITLED “PERSONNEL POLICIES” AND**
94 **SPECIFICALLY ORDINANCE 46 – 32 TITLED “WORKERS**
95 **COMPENSATION”**

96 **Borough Clerk read by Title**

97
98 Councilman Choi asked for an explanation. Mr. Terhune explained that there
99 were some issues that came up and the JIF advised that the change was
100 necessary.

101 A motion was made by Council President Raucci, seconded by Councilman
102 Whitter to adopt on first reading Ordinance 13-11

103
104 Roll call vote: Councilpersons Raucci, Choi, De Simone, Knott and Whitter.
105 Councilman Hawkins abstained. Ordinance 13-11 introduced.

106
107 **Introduction of Ordinance 15-11 entitled:**
108 **AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODE OF THE**
109 **BOROUGH OF LEONIA TITLED "PARKS" BY ADDING A NEW SECTION,**
110 **TO BE DESIGNATED AS ORDINANCE 197-13, TITLED "FEES AND**
111 **POLICIES FOR THE USE OF LEONIA PARKS."**

112
113 **Borough Clerk read by Title**

114
115 A motion was made by Council President Raucci, seconded by Councilman
116 Choi to adopt on first reading Ordinance 15-11

117
118 Roll call vote: Councilpersons Raucci, Choi, De Simone, Knott and Whitter.
119 Councilman Hawkins abstained. Ordinance 15-11 introduced.

120
121 **ADOPTION OF ORDINANCE**

122 **Adoption of Ordinance 10-11 entitled:**
123 **AN ORDINANCE TO AMEND CHAPTER 66 OF THE CODE OF THE**
124 **BOROUGH OF LEONIA TITLED “VOLUNTEER SERVICES”**

125 **(Borough Clerk read by title)**

126 **Public Hearing no one spoke**

127
128 **AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE**
129 **BOROUGH OF LEONIA TITLED “PARKING, OFF STREET”**

130 **(Borough Clerk read by title)**

131 **Public Hearing**

132 **UNFINISHED BUSINESS**

- 133 a) Complete Streets (8/1/2011) (Mayor Heveran) Mayor Heveran asked if
134 anyone had any suggestions. Councilman Hawkins suggested Oakdene.
135 Councilman Hawkins stated there have been problems there for several years
136 there is a sewer with a lot of problems and a storm drain with a lot of

- 137 problems. Mr. Terhune stated that Oakdene would qualify but not the sewer
138 upgrades.
- 139 b) Ambulance Building Renovations (Jack Terhune) Mr. Terhune reviewed the
140 proposal from Acari Iovino for the renovations to the ambulance building. Mr.
141 Terhune stated he is going to get an amended proposal for \$4,000.
142
- 143 c) American Legion Liquor License (Borough Clerk) The Borough Clerk
144 explained the fingerprints have not come back from the State on two individuals
145 therefore the resolution cannot be done on the Club License.
146

147 NEW BUSINESS

- 148 a) Farmer's Market (Mr. Terhune) Mr. Liberatore approached Mr. Terhune
149 about conducting a Farmer's Market. He said he approached the American
150 Legion and received approval to have it on the front lawn. It is held on
151 Wednesday afternoons and appears to be a great success.
152
- 153 b) Downtown Business (Councilman Choi) Councilman Choi spoke about the
154 empty stores on Broad Avenue. Councilman Choi would like to have a
155 "downtown revitalization forum" set-up of residents, business owners and
156 property owners. Councilman Hawkins spoke about the Economic
157 Development Committee. Councilman Hawkins also stated there are a lot
158 of absentee landlords and the rents are very high. Councilman De Simone
159 asked how much rent the Leonia Florist was paying. Councilman Choi
160 stated that he offered to negotiate for the tenant with the landlord, however,
161 the tenant was not interested.
162
- 163 c) Tax Appeals (Councilman Choi) Councilman Choi spoke about the number
164 of homes for sale and how it is going to affect the Tax Levy and the budget.
165 Councilman Choi would like the assessor to attend a meeting. Councilman
166 Hawkins stated the last reassessment occurred during the height of the real
167 estate bubble. Now people are appealing their assessments. We have a very
168 proactive Tax Officer. Members of the Governing Body spoke about tax
169 appeals and assessments.
- 170 d) Sculpture in Wood Park (Jack Terhune) the Sculpture Committee would like
171 to put a sculpture in Wood Park. Mr. Terhune expressed safety concerns.
- 172 e) Towing Ordinance (Jack Terhune) Mr. Terhune explained the Chief Ziegler
173 requested the change. Councilman Hawkins agrees with the change.
174
175

176 **Introduction of Ordinance 14-11 entitled:**

177 **AN ORDINANCE TO AMEND CHAPTER 267 OF THE CODE OF THE** 178 **BOROUGH OF LEONIA TITLED "TOWING" BY ADDING A NEW** 179 **SECTION, TO BE DESIGNATED AS ORDINANCE 267-11**

180 Borough Clerk Read the Ordinance by Title

181 A motion was made by Councilman Hawkins, seconded by Council President
182 Raucci to adopt on first reading Ordinance 14-11
183

184 Roll call vote: Councilpersons Raucci, Choi, De Simone, Hawkins Knott and
185 Whitter voted yes. Ordinance 14-11 introduced.

186
187 f) Recycling Ordinance (Councilman Knott/Jack Terhune) done
188

189 **CORRESPONDENCE**

190 Mayor Heveran read a letter from Senator Weinberg regarding the increase of the tolls
191 proposed by the Port Authority.

192
193 **COMMENTS FROM THE PUBLIC**

194
195 Charles Silverstein, 256 Grand Avenue spoke on behalf of Mr. Peters.
196

197 Francis Moltzen, 221 Harrison Street – there is a need to have friendly people in the stores
198 if they want to stay in business.

199
200 Leonel Morales, 189 Grand Avenue – Mr. Morales reported that the rent increase for the
201 Leonia Florist was \$4,700 landlord would not negotiate; Malone Kremer the landlord
202 wanted \$1,800 and would not make any repairs. Mr. Morales explained about tax appeals.
203 Mr. Morales inquired when the stipends and uniform allowance would be paid.
204 Councilman Choi stated he would like the committee to meet with him regarding this
205 issue.

206
207 Council President Raucci thanked the Fire Department, DPW and Police Departments for
208 an outstanding effort during the hurricane.

209
210 Mayor Heveran reported that having ridden around the coordination was perfect.
211

212 Leah Roland 186 Crescent Avenue Mrs. Roland echoed what Mayor Heveran said. She
213 also noted that was being said on the “List Serve.”
214

215 **Executive Session**

216 Council President Raucci made a motion to go into Executive Session, seconded by
217 Councilman Whitter. All in favor none opposed.

218
219 Mayor Heveran announced at this time the Governing Body was going into Executive
220 Session.

221
222 The Finance and Personnel Committee – Councilman Knott reported that the Committee
223 consisting of Council President Raucci, Councilman Whitter and himself became aware of
224 some issues concerning the Construction Official.

225
226 Councilman Knott read a report into the record regarding Mr. Peters. The Personnel and
227 Finance Committee recommended that Mr. Peters be suspended without pay for one (1)
228 week.
229

230 Council President Raucci seconded by Councilman Hawkins made a motion to go into
231 Closed Session

232 **CLOSED SESSION G**

233

234

235 Council President Raucci seconded by Councilman Hawkins made a motion to come out
236 of Closed Session.

237

238

OPEN SESSION

239

240 Councilman Knott made a motion to suspend Mr. Peters for one week (1) (25 hours)
241 without pay for a date to be determined, seconded by Councilman Whitter. The Resolution
242 will be prepared by Borough Attorney Giblin and adopted at the meeting of September
243 19th.

244

245 Roll Call vote: Councilpersons Raucci, De Simone, Knott, Whitter voted yes. Councilman
246 Choi voted no, Councilman Hawkins Abstained. Motion approved.

247

248

249 **ADJOURN**

250 Council President Raucci made a motion to adjourn the meeting, seconded by Councilman
251 Hawkins. All in favor none opposed.

252

253 As there was no further business before the Governing Body, the meeting was adjourned at
254 9:42 PM

255

256

257 Respectfully submitted,

258

259 Fran Lehmann

260 Borough Clerk