

1 **Council Meeting/Work Session**
2 **Minutes**
3 **October 3, 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*

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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*

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19 **Absent:** *none*
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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.
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25 **APPOINTMENT**
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27 **PRESENTATION**
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29 **PUBLIC COMMENTS**
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31 Doug Salmon, 220 Harrison Street – Mr. Salmon spoke about recycling.
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33 John Stendor, 314 Crescent Avenue – Mr. Stendor commended the Members of the
34 Borough who responded to Hurricane Irene and the micro burst. The lights on the pole that
35 snapped during the microburst still have not been replaced on Crescent Avenue.
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37 Charles Silverstein, 356 Grand Avenue – Mr. Silverstein reported on the book sale at the
38 Library. Councilman Choi asked how many volunteers where there. Mr. Silverstein said 6
39 or 7. Mr. Silverstein thanked those who attended and purchased books.
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41 Frank Patti, 241 Broad Avenue, Mr. Patti thanked everyone for their hard work Thursday
42 after the storm.

43 Mr. Patti spoke about a letter to Mr. Alampi the attorney for the Board of Adjustment
44 regarding T-Mobile. Mr. Patti expressed concern that Mr. Alampi who is the attorney for

45 the Board is not defending them against T-Mobile. <r. Patti stated would be willing to pay
46 Mr. Alampi for ten (10) hours at \$150.00 an hour to defend the Board of Adjustment. Mr.
47 Giblin explained the decision of the Governing Body to have him defend the Board against
48 T-Mobile, Mr. Giblin also noted that he has been in contact with Mr. Lodato and will meet
49 him regarding the defense of the Board of Adjustment.

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51 Roland Weimer, 329 Moore Avenue – Mr. Weimer commended the Governing Body on
52 the transparency. Mr. Weimer noted there is more information on the Borough website.

53

54 Dianna Damon 301 Fort Lee Road – Ms. Damon inquired on the status of her claim with
55 the insurance company regarding and incident involving her dog who was attacked by bees
56 and subsequently died.

57

58 **APPROVAL OF MINUTES**

59 **Council Meeting September 19, 2011** – Council President Raucci, seconded by
60 Councilman Choi, made a motion to approve the Minutes of September 19, 2011. Roll
61 call vote; all in favor none opposed. Minutes approved.

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63 **RESOLUTIONS**

64 **Resolutions 11-193 through 11-197**

65 Councilman Choi asked to hold Resolution 11-197 – Councilman Choi thanked the
66 Ambulance Committee and Mr. Terhune for finally settling the Stipend and Uniform
67 Allowance issue amicably. Councilman Choi also thanked the volunteers for their many
68 years of service.

69 Resolutions 11-193 through 11-197 – Councilman Hawkins seconded by Council
70 President Raucci made a motion to approve the above noted resolutions. Roll call vote all
71 in favor none opposed. Resolutions approved.

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74 **INTRODUCTION OF ORDINANCE**

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77 **ADOPTION OF ORDINANCE**

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Adoption of Ordinance 12-11 entitled:

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

80

Borough Clerk read by Title

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Public Hearing no one spoke.

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A motion was made by Councilman Whitter, seconded by Council President
84 Raucci to adopt on final reading, Ordinance 12-11.

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Roll call vote: all in favor none opposed. Ordinance 12-11 adopted.

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Adoption of Ordinance 13-11 entitled:

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**AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “PERSONNEL POLICIES” AND**

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91 **SPECIFICALLY ORDINANCE 46 – 32 TITLED “WORKERS**
92 **COMPENSATION”**

93 **Borough Clerk read by Title**
94 **Public Hearing – no one spoke.**

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96 A motion was made by Councilman Hawkins, seconded by Councilman
97 Whitter to adopt on final reading, Ordinance 13-11

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99 Roll call vote: Councilpersons Raucci, Choi, De Simone, Knott and Whitter.
100 Councilman Hawkins abstained. Ordinance 13-11 adopted.

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102 **Adoption of Ordinance 14-11 entitled:**
103 **AN ORDINANCE TO AMEND CHAPTER 267 OF THE CODE OF THE**
104 **BOROUGH OF LEONIA TITLED “TOWING” BY ADDING A NEW**
105 **SECTION, TO BE DESIGNATED AS ORDINANCE 267-11**

106 **Borough Clerk Read the Ordinance by Title**
107 **Public Hearing – no one spoke**

108 A motion was made by Councilman Hawkins, seconded by Council President
109 Raucci to adopt on final reading Ordinance 14-11

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111 Roll call vote: Councilpersons Raucci, Choi, De Simone, Hawkins Knott and
112 Whitter voted yes. Ordinance 14-11 adopted.

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114 **Adoption of Ordinance 15-11 entitled:**
115 **AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODE OF THE**
116 **BOROUGH OF LEONIA TITLED "PARKS" BY ADDING A NEW SECTION,**
117 **TO BE DESIGNATED AS ORDINANCE 197-13, TITLED "FEES AND**
118 **POLICIES FOR THE USE OF LEONIA PARKS."**

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120 **Borough Clerk read by Title**
121 **Public Hearing**

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123 David Roland, 186 Crescent Avenue, Mr. Roland suggested perhaps in the
124 future an outline explaining the Ordinance would be helpful.

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126 Roland Weimer, 329 Moore Avenue – Mr. Weimer feels the Ordinance is too
127 vague.

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129 Council President Raucci explained the process with the Recreation
130 Commission having control of the parks.

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132 Councilman Whitter explained there is a section in the Code Book with all the
133 information regarding the procedures that followed by the Recreation
134 Department and Recreation Commission.

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136 A motion was made by Council President Raucci, seconded by Councilman
137 Choi to adopt on final reading, Ordinance 15-11

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

NEW BUSINESS

- a). Electronic Distribution and Archiving of Searchable Documents Linked to Webcasting Councilman Knott reported on a company that will be giving a presentation on October 17th. Councilman Knott stated that since becoming a member of the Governing Body he is amazed at the amount of paper generated.

- b) Resolution from Maywood – Mayor Heveran explained she received this resolution and inquired if the members of the Governing Body were interested in doing the same resolution. The Resolution is urging the BPU to review all Public Service Substations. The members of the Council agreed. Councilman Whitter also requested that telecommunications companies be added to the resolution. Mr. Terhune reported that PSE&G is already looking into moving the substation in New Milford. After a brief discussion the Governing Body agreed to do the Resolution and send it to the BPU and municipalities in Bergen County. Councilman Whitter made a motion to introduce Resolution 11-198, seconded by Council man Hawkins. All in favor none opposed.

UNFINISHED BUSINESS

- a) Stand – by Duty Council President Raucci would like this Ordinance that had previously been introduced be corrected to remove the Ambulance Corps. Council President Raucci said this ordinance is not too control respondents to an emergency but have some control over funds that are being expended.

- b) Sima Development Mr. Giblin advised the members of the Governing Body to review the transcripts. The Governing Body will need to discuss and make a decision to either up hold the decision of the Board of Adjustment to allow the project or overturn the decision.

CORRESPONDENCE

Councilman De Simone asked to have a letter sent to the Borough of Dumont thanking them for loaning us the tree truck and chipper. Mr. Villarreal arranged these to be borrowed from Dumont. With two trucks it made the clean-up move quicker.

Councilman Hawkins thanked Mr. Terhune for writing the letter on his behalf to the Turnpike Authority and the Port Authority regarding the traffic delays.

COMMENTS FROM THE PUBLIC

183 Roland Weimer, 329 Moore Avenue – Mr. Weimer has a new appreciation for Borough
184 Employees after the micro burst. Mr. Weimer thanked Councilman Knott for taking the
185 initiative to investigate the webcasting company. Mr. Weimer feels the Sima Development
186 discussion was held in the right venue does not believe it should be discussed in Closed
187 Session. Mr. Weimer informed the Governing Body of another Korean Festival scheduled
188 for the new section of Overpeck Park. They are expecting a very large turnout 50,000
189 people are expected. Mr. Weimer asked the Borough to urge the County to be prepared for
190 this. There will be lot of pedestrian traffic.

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192 Leah Roland, 186 Crescent Avenue – Mrs. Roland expressed an interest in the letter to the
193 Port Authority and Turnpike Authority. Councilman Hawkins gave her a copy.

194
195 Ryan Maxwell, 203 Glenwood Avenue - Great job on cleaning up after the storm. The
196 “Zip Car” concept application for the Toyota property has been withdrawn. The estate is
197 looking at a strip mall. Maybe they would donate the property to Leonia. Councilman
198 Whitter suggested they might be looking for a project they know would be approved
199 without any issue.

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201 Council President Raucci seconded by Councilman Hawkins made a motion to go into
202 Closed Session

203 **CLOSED SESSION G**

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

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208 **ADJOURN**

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

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212 As there was no further business before the Governing Body, the meeting was adjourned at
213 9:40 PM.

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215
216 Respectfully submitted,

217
218 Fran Lehmann
219 Borough Clerk

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221 ***THE PRECEDING IS A CONCISE STATEMENT INTERPRETED BY THE***
222 ***BOROUGH CLERK AND MAY NOT INDICATE THE PRECISE INTENT OF THE***
223 ***GOVERNING BODY. THE MINUTES OF THE MEETING ARE TAPED AND***
224 ***AVAILABLE IN THE OFFICE OF THE BOROUGH CLERK.***

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