

1 **Council Meeting/Work Session**
2 **Minutes**
3 **February 1, 2010**
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 7:30pm*

7 Mayor Heveran called the meeting to order.

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

10 **Council Present:** *Mayor Heveran, Councilpersons, Norgaard, Brennan, Choi,*
11 *Hawkins, Knott, Raucci.*

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13 **Council Absent:** *none*

14
15 **Also Present:** *Borough Attorney Brian Giblin, Borough Clerk Fran Lehmann,*
16 *Borough Administrator Jack Terhune.*
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18 **OPEN MEETING STATEMENT**

19 Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin
20 Board at Borough Hall and notices sent to the Official Newspaper.
21

22 **PUBLIC COMMENTS**

23 Jeanne Churchill, 145 Oakdene Avenue – Ms. Churchill asked about the following;
24 purchase of another fire truck, the lot across from the Annex and the liquor license
25 ordinance that was adopted. Ms. Churchill also inquired who monitors the jitneys that
26 come into town. Ms. Churchill stated that when you call the number on the bus you are not
27 able to communicate with anyone as they do not speak English. Mayor Heveran stated
28 there is an ordinance regarding the time allowed for a vehicle to be left idling. Mr. Terhune
29 reported they are licensed by the Motor Vehicle Commission. Mr. Terhune will also speak
30 to Chief Ziegler and remind him of the idling ordinance. Council President Norgaard
31 explained the fire truck is a matter of safety. There are currently three trucks that are more
32 than the 20 years of life they are supposed to by National Fire Safety code. One of the
33 trucks is from 1969 the other trucks are from the 80's. Councilman Raucci spoke about
34 the Yamato/Texaco lot. Mrs. Churchill asked if this is being done for the TV Clinic
35 property or for more parking in Town. Councilman Raucci stated this is being done for
36 more parking in town. Mr. Giblin explained what has occurred during the last four (4)
37 years since he became Borough Attorney.
38

39 Laura Gonzalez-Phelan, 181 Glenwood Ave. – Ms. Gonzalez-Phelan asked for further
40 clarification regarding the Yamato/Texaco property. Mr. Giblin explained the ongoing
41 actions the Governing Body has taken in order to have the site remediated. Councilman
42 Hawkins explained the meaning of "NFA."
43

44 Ms. Louise Galeshaw, 569 Broad Avenue – Mrs. Galeshaw reported that the minutes of
45 the meetings are never ready. Ms. Galeshaw also asked if the tapes of the meetings are
46 available. Mayor Heveran reported that once the minutes are approved they are posted on
47 the website almost immediately. The tapes are not available until they are approved. Ms.
48 Galeshaw asked how many parking stalls there are going to be and how many stories.
49 She also asked if they are we going to charge people to park there and are we going to
50 make money for this lot? Mr. Terhune stated there is a preliminary design that was
51 prepared for either 32-35 spaces. There are no regulations at this time. Councilman Raucci
52 stated until we own the property this is premature but there is a discussion for putting in
53 parking meters. He said nothing will be official until we acquire the property. Ms.
54 Galeshaw is fine with the fire truck. The liquor license she is not happy about but if the
55 young people in town want it she is fine with it. Ms. Galeshaw asked if the license had
56 been sold yet. Mayor Heveran explained that once the ordinance was adopted it allowed
57 the Governing Body to accept having a consumption license. “We as a Governing Body
58 may never do that.” Councilwoman Brennan and Councilman Raucci have sent this
59 ordinance back to the Laws and Ordinances Committee and to the Economic Development
60 Committee to be refined. This was brought up at a Town Hall Meeting held over a year
61 ago at the High School when residents mentioned it. Councilman Norgaard would like to
62 address one of Ms. Galeshaw’s questions. The Laws and Ordinance Committee has
63 decided to leave the ordinance on the books for now. This ordinance gives us the ability to
64 issue a license should the Governing Body choose to do so. Councilman Hawkins
65 explained that for almost a year and half the Economic Development Committee came to
66 the realization that one of the bid issues downtown is not enough parking. What came out
67 of that was the redesign of the Elm Place lot. It has been twelve years now that the lot has
68 been left the way it is.

69
70 Ron Chace – former Fire Chief and Troy Wright current Fire Chief – Mr. Chace stated
71 they would like to clarify some misinformation that is on the list serve; two years ago the
72 Fire Department came before the Mayor and Council to downsize the Fire Department. We
73 wanted to get rid of three engines and replace with two engines that would supply the same
74 amount of water eliminating one truck and save the Borough in the long run \$500,000. By
75 purchasing two trucks at the same time you don’t pay engineering costs that they would
76 for two identical trucks. We have been going back and forth with the Governing Body and
77 everyone agreed it was a good idea. We had two different leasing companies to see if that
78 would be the way to go if you were to lease them the Borough would have gotten a
79 prepayment discount. It was arranged so the Borough would have gotten two new engines
80 delivered to the town for under \$400,000 each. Other towns around are getting trucks that
81 cost \$900,000. Palisades Park is purchasing one for \$765,000. Because of the size of our
82 firehouse we have to order a 29’ truck. For the safety of the our fire members the lockers
83 which are now located on the side of the trucks does not allow enough room for the
84 members to get dressed and get on the truck We were going to take all the lockers out and
85 put them in the empty bay so all the members could dressed safely. Mayor Heveran asked
86 how far in the future do you see needing another truck. Mr. Chace responded the age of the
87 trucks are as follows; 1969, 1988 and 1992. According to NFPA standards, 20 years is life
88 expectancy. The one that should have been replaced in 2008 and the one that should be
89 replaced in 2012 would wait a year. It takes eleven months to get a truck. By ordering the

90 trucks together the fire department would be saving the town money and we would
91 eliminate one piece of equipment. We brought this up in the best interest of the
92 community; we are all taxpayers like everyone else. The next piece of equipment that
93 would needed to be purchased is 17 years down the line.
94

95 **APPOINTMENT**
96 Mayor Heveran reported she received a letter from David Rhodes who was a member of
97 the Recreation Commission that he is resigning. Mayor Heveran appointed Mr. Ira Gold
98 and asked Council for confirmation on the appointment. Councilman Raucci made the
99 motion on the appointment, seconded by Councilman Hawkins. All in favor none opposed.
100

101 **PRESENTATION**
102 Prime MSP, Ray Pizzo – Made a presentation to the Governing Body and those assembled
103 on his proposal for the Borough Website. The Governing Body asked questions of Mr.
104 Pizzo who addressed their questions and concerns.
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106 Cliff Eddens, 219 Overlook Avenue – Mr. Eddens asked questions of Mr. Pizzo.
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108 John Kender, 169 Ames Avenue – Mr. Kender questioned Mr. Pizzo regarding his
109 company and the proposal.
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111 Mr. Michael Phelan 181 Glenwood Avenue – Mr. Phelan questioned Mr. Pizzo.
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113 Mr. Leibow, 145 Glenwood Avenue - made some suggestions to the Governing Body
114 regarding the choice of a website company.
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116 Mr. Henning Schulzrinne, 313 Westview Avenue – Mr. Schulzrinne spoke about the
117 website and asked questions of Mr. Pizzo.
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119 Laura Gonzalez-Phelan 181, - Glenwood Avenue – Ms. Gonzalez-Phelan asked questions
120 of Mr. Pizzo and the Governing Body.
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122 **PROCLAMATION**
123 Mayor Heveran gave an overview of the Proclamation for the American Heart Association
124 Go Red for Women’s Heart Health.
125

126 **APPROVAL OF MINUTES**
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128 **Council Meeting February 1, 2010** – Councilman Hawkins, seconded by Councilman
129 Raucci made a motion to approve the Minutes of February 1, 2010. Roll call vote; all in
130 favor none opposed. Minutes approved.
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132 **Closed Session Minutes February 1, 2010** – Councilman Hawkins, seconded by Council
133 President Norgaard made a motion to approve the Closed Session Minutes of February 1,
134 2010 Roll call vote; all in favor none opposed. Minutes approved.
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RESOLUTIONS

Resolutions 10-93 through 10-95, 10-98 through 10-100 and 10-102 – A motion was made by Council President Norgaard, seconded by Councilman Raucci to approve the aforementioned Resolutions. Roll Call vote all in favor; none opposed. Resolutions approved.

Resolution 10-97 – Councilwoman Brennan asked for a separate vote. Councilman Hawkins made a motion to approve Resolution 10-97, seconded by Councilman Raucci. Councilwoman Brennan thanked everyone for coming and speaking to this issue. Councilwoman Brennan would like to let the website go down and put up an under construction notice and start fresh. Councilman Knott is not in favor of going ahead with this company and would like to wait for the new committee’s recommendation and solicit RFP’s from other service companies. Council President Norgaard stated he would hate to see the website go down. Councilman Hawkins asked what the condition of the existing website is. What will happen if we do nothing? Mr. Terhune explained what would occur.

Roll call vote; Councilpersons Norgaard, Hawkins and Raucci voted yes; Councilpersons Brennan, Choi and Knott voted no. This vote resulted in a tie. Mayor Heveran cast a vote of yes. Resolution 10-97 approved.

Resolution 10-102 - Establishment of the Website Advisory Committee Paul Leibow, Vince Scordo, Paul King. Councilwoman Brennan would like to add names and appoint a liaison to the committee.

INTRODUCTION OF ORDINANCE

ADOPTION OF ORDINANCE

Adoption of Ordinance No. 01-10 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW FIRE ENGINE, 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 \$2,736,760 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS AND A PRIVATE CONTRIBUTION, 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 Clerk read the Ordinance by Title

Comments from the Public –

180 Barbara Mitrani, 135 Longview Avenue – Mrs. Mitrani welcomed the new
181 Councilmember’s. Mrs. Mitrani questioned the new fire truck and Yamato/Texaco.

182 Mrs. Mitrani understood that there are three pumpers in service currently.
183 Councilman Hawkins responded to the statement made by Mrs. Mitrani and
184 explained that the 1969 pumper is not in service. Mrs. Mitrani inquired if it could be
185 sold or should it just be junked? Councilman Hawkins could not answer the
186 question. Mrs. Mitrani inquired how often does the pumper get used. Councilman
187 Hawkins stated every time there is a call the pumper responds. Mr. Chace responded
188 to Mrs. Mitrani’s question. You have to have so many pumping gallons. Two are
189 1,500 gallon pumpers one is 1,000 gallon per minute pump. The 1969 pumper is
190 almost scrap. We follow NFPA standards. Mr. Chace explained the standards.

191 Council President Norgaard made a motion to extend the meeting until 10:30
192 seconded by Councilman Raucci. All in favor none opposed.

193 Mrs. Mitrani questioned the need of 32 more spaces in town. Mrs. Mitrani asked
194 how much tax dollars will be lost if this property is taken off the tax rolls. Mr.
195 Terhune did not have the information with him. Council President Norgaard stated
196 yes we will lose one ratable but the loss will actually be a benefit as the downtown
197 will function better with more parking. It will increase the ratables with more
198 parking when you compare something that is blighted and unattractive to something
199 that is new and pretty. Hopefully it makes you want to go downtown. It is a step in
200 the right direction, there has been too much inaction. We have to make some tough
201 choices now and then it is the overall vision of making the downtown something you
202 want to go to. Mrs. Mitrani asked if the \$150,000 was an exact amount for the
203 remediation process. Mrs. Mitrani also questioned if the property was being taken by
204 eminent domain. The amount in the Bond Ordinance is for the remediation.
205 Councilman Hawkins stated that this amount was quoted by the engineer for the
206 remediation. Councilman Hawkins also explained the process for eminent domain.
207 Mr. Giblin explained that he has been negotiating privately and the number you
208 quoted is not accurate.

209 Cliff Eddens, 219 Overlook Avenue – Mr. Eddens spoke in favor of the fire engine.
210 This is a life saving piece of equipment and it is shared with other communities as
211 well as ours.

212 Laura Gonzalez-Phelan, 181 Glenwood Avenue – Mrs. Gonzalez was skeptical
213 about the purchase of the pumper. With respect to the Texaco property is there
214 anyone else interested in the property. Mr. Giblin has been in negotiations with the
215 broker for the property. Mr. Giblin reported that he has been told there are others
216 interested. In fact there is a contract that he has asked for a copy of but has yet to
217 receive it.

218 Leonel Morales, 189 Grand Ave. – Mr. Morales spoke as a former Councilman.
219 When a discussion on a piece of equipment occurs, it is because it is needed. We
220 need to rely on someone who has 30-40years experience on a daily basis. I deal with
221 ambulance corps; I do not deal with fire. I trust their expertise. He feels the fire
222 department got short changed on one piece of equipment and the taxpayers got short
223 changed on one as well.

224 Henning Schulzrinne 313 Westview Avenue – Mr. Schulzrinne asked for an
225 explanation on the parking fund. Mr. Giblin explained the parking fund.

226 Sally Klig, 497 Park Avenue – Mrs. Klig referred to the Town Meeting where the
227 discussion occurred regarding furloughs and garbage being moved to front yard
228 pick-up was discussed. The community is having issues with the economy not only
229 in Leonia but in the entire world. As a result of the purchase of a piece of property
230 being turned into a parking lot, Mrs. Klig has a problem seeing it as something
231 beautiful even if you put flower pots in it. To purchase this with a kind of mushy
232 knowledge base to what the cost may be, is a question as to what gains might be to
233 the community. Mrs. Klig suggested maybe the community should have a
234 referendum on this. Mr. Giblin explained that there is no law that says this should be
235 by referendum. Any question could be a referendum. Mrs. Klig suggested a Town
236 Hall Meeting be held to allow the community to discuss the purchase of land and all
237 the other issues that were discussed at this meeting. Mayor Heveran stated that this
238 ordinance also includes improvements to Wood Park.

239 Ron Chace 120 Leonia Avenue – Mr. Chace stated he wanted to go on record that
240 the Council should look into purchasing two trucks.

241 **Motion** was made by Councilman Raucci adopt on final reading Ordinance 01-10,
242 seconded by Councilman Hawkins.

243 Councilwoman Brennan we need to be frugal with a total of \$1,000,000 bond. This
244 is a capital expenditure and I would like the capital budget committee to review. If
245 they agree then Councilwoman Brennan has no problem with it.

246

247 Councilwoman Brennan made a motion to table Ordinance 01-10, seconded by
248 Councilman Knott. Roll call vote Councilpersons Norgaard, Choi, Hawkins, Raucci
249 no. Councilpersons Brennan and Knott yes. Motion failed.

250

251 **ROLL CALL** Councilpersons, Norgaard, Choi, Hawkins, Raucci voted yes.
252 Councilpersons Brennan and Knott abstained. Ordinance 01-10 adopted.
253

254 Council President Norgaard made a motion to extend the meeting for another 20 minutes
255 or until 10:20pm, seconded by Councilman Raucci. All in favor none opposed.
256

257 **UNFINISHED BUSINESS**

258 a) Shade Tree Ordinance - Held for next meeting.
259 b) Sign Ordinance (1/20/2010) - Held for next meeting.
260 c) NJ Transit and Light Rail (Councilwoman Brennan) - Held for next meeting.
261 d) Tax Ratio Appeal – Because of the way the state figures out the tax ratio on a reval.
262 year they actually include one year prior to the reval. And because of that, our ratio
263 is not 100% which it was a year ago. It went down. It started out as 90% in October
264 and it got changed brought up 92.83%. The Council authorized to appeal that. The
265 only thing the judge would let Mr. Giblin appeal was the 2% change, not the entire
266 ratio. The appeal was withdrawn because the ratio might actually go down which
267 would be a bad thing.

268
269 Due to the late hour of the Meeting Mayor Heveran asked to have the following held until
270 the next meeting: Shade Tree Ordinance; Sign Ordinance; NJ Transit and Light Rail.
271 Councilwoman Brennan stated she and Mr. Terhune attended a breakfast with Senator
272 Rothman and asked the Council for the wish list. She would like Oakdene Avenue from
273 Grand Avenue to Palmer Place as number one. All the members of the Council agreed that
274 should be number one. The second priority is laptops for the Council to get rid of the
275 paper. The majority of the Council did not feel this was a necessary item. Solar panels are
276 the second priority.

277
278 **NEW BUSINESS**

- 279 a) Website Advisory Committee (Mayor Heveran) was done by resolution 10-102.
280 b) Farmers Market (Mayor Heveran) - Held for next meeting.

281
282 **CORRESPONDENCE**

283 A stamp is going to commemorate Commander McCloy who one the Congressional Medal
284 of Honor twice. The stamp will be available on Thursday, February 4th. Louise Sherman
285 sent a letter regarding commuter parking on Oak Tree.

286
287 Councilman Knott asked about dumpsters for multi family dwellings with the recent
288 change in garbage pick-up. Do they need to purchase pails for each apartment? Mr. Giblin
289 explained the Supreme Court Ruling on this issue.
290 Councilman Hawkins explained that it takes a large amount of time for the DPW to go into
291 the backyards to pick-up the garbage. They are able to take care of the town lot faster. One
292 of the reasons this had to be done is because Borough Employees are being furloughed to
293 save money. The economic plan that has been developed has the capability of expanding
294 and contracting without losing personnel. One of the most important things is that we do
295 not want to lose our valuable personnel. If the town gets a little more "flush," yes we may
296 be able to go back to rear yard pick-ups. We may able be to stop the furlough program and
297 we may be able to have as many police as we want. One of the things we are not doing is
298 losing personnel by expanding or contracting them as money comes in or goes out. I think
299 it is a fiscally responsible thing to do.

300
301 **COMMENTS FROM THE PUBLIC**

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303 Barbara Mitrani 135 Longview – You are all doing a great job. Mayor Heveran asked Mrs.
304 Mitrani to encourage more people to come to the meeting.

305
306 **CLOSED SESSION B**

307 Council President Norgaard made a motion to go into Closed Session to discuss personnel,
308 seconded by Councilman Raucci. All in favor none opposed.

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310 **ADJOURN**

311 Councilman Hawkins made a motion to adjourn the meeting, seconded by Councilman
312 Choi all in favor none opposed.

313

314 As there was no further business before the Governing Body, the meeting was adjourned at
315 10:40 PM
316 Respectfully submitted,
317
318 Fran Lehmann
319 Borough Clerk