

1 **Council Meeting/Work Session**
2 **Minutes**
3 **May 3, 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 the
9 Pledge of Allegiance.

10 **Council Present:** *Mayor Heveran, Councilpersons, Norgaard, Brennan, Choi,*
11 *Hawkins, Knott, Raucci*
12

13 **Council Absent:** *none*
14

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

18 **Also Absent:** *none*
19

20 **OPEN MEETING STATEMENT**

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

24 **PUBLIC COMMENTS**

25 Jennifer Mitchell – 21B Lakeview Ave, gave a petition from the Lakeview Condominium
26 residents to the Mayor and Council in regards to the mulch/wood chip pile that is located
27 by the Lakeview Condominiums. The residents are concerned with the noise, pollution,
28 the use of tools, equipment, and illegal dumping of solid waste and deposit refuse in
29 vacant lots.
30

31 Borough Administrator Jack Terhune explained that he already has spoken to the operator
32 responsible for the mulch/wood chip pile, the operator agreed that they would not start
33 before 8am, and would trim down the piles. Administrator also informed the resident that
34 the operator's contract for the land expires in November. Borough Attorney Giblin asked
35 if anyone had notified the DOT, he also explained that he could not comment on the
36 original deal made to lease the land. Mr. Giblin advised the residents to notify the DOT of
37 the operator's expansion of use, and equipment left on the property. Mr. Giblin will look
38 further into the situation.
39

40 Mayor Heveran stated that a gentleman had approached her at the School Board Elections,
41 also in regards to the concerns at the Lakeview Condominiums. Mayor Heveran
42 forwarded the contact information to Borough Administrator Terhune.
43

44 Alexander Mielko – 13 C Lakeview Ave, also spoke in regards to the problem they are
45 having at the Lakeview Condominiums, Mr. Mielko has taken photos of the operators and
46 claims they still are there at 6AM. Mr. Mielko supports the petition and wants to see steps
47 taken from the Borough.

48
49 Marissa Leonardi – 21 D Lakeview Ave, informed the Mayor and Council that a very bad
50 odor is being released from the pile. She feels that refuse is being dumped on the site. Ms.
51 Leonardi main concern is that if refuse is being dumped then it will attract animals,
52 insects, etc. Ms. Leonardi has also informed the press of the problems that the Lakeview
53 Condominiums are having.

54
55 James Cirronella – 21 A Lakeview Ave, also a concerned resident of the Lakeview
56 Condominiums. Mr. Cirronella wanted to know who Mr. Terhune had contacted, are they
57 part of the association for the Lakeview Condominiums, and who is going to make sure
58 that the operator is 1000 ft from the property. Mayor Heveran mentioned again that a
59 gentleman had approached her at the School Board Elections, a John Bagnaro from 4D
60 Lakeview Ave, also in regards to the concerns at the Lakeview Condominiums. Mayor
61 Heveran forwarded the contact information to Borough Administrator Terhune.
62 Administrator Terhune explained that he has been in contact with Mr. Bagnaro and is
63 looking into rectifying the situation as soon as possible. Mr. Terhune explained to the
64 resident that he does not recall seeing that the operator must be 1000 ft from the property
65 line.

66
67 **APPOINTMENTS**
68 There were no appointments made, Mayor Heveran mentioned that Erika Bacchia has
69 handed in a letter of resignation from the Environmental Commission. Mayor Heveran
70 asked if anyone had any recommendations to please forward their names to her.

71
72 **PRESENTATIONS**
73 Mayor Heveran presented a Proclamation to Tom Storff for his time, expertise, and
74 dedication that went into the 1st Annual May Day/Day in the Park event, which took place
75 in the Dudley Allen Park, Saturday May 1, 2010.

76
77 **APPROVAL OF MINUTES**
78 Council Meeting Minutes, April 19, 2010 – Councilman Hawkins made a motion,
79 seconded by Council President Norgaard to approve the minutes of April 19, 2010. All in
80 favor none opposed.

81
82 Closed Session Minutes April 19, 2010 – Council President Norgaard made a motion,
83 seconded by Councilman Choi to approve the Closed Session Minutes of April 19, 2010.
84 All in favor none opposed.

85
86 **RESOLUTIONS**
87 **Resolution 10-155** – before the Resolutions were approved, Councilwomen Brennan
88 asked for discussion regarding Resolution 10-155. Councilwomen Brennan explained to

89 the audience the intent of resolution 10-155, authorizing the Administrator to advertise an
90 RFP for Ambulance Service.

91 **Resolution 10-160** – Mayor Heveran asked if a copy could be sent to Ms. Leap for a
92 keepsake with her project regarding “Picture an Ordinary Day” in Leonia.

93
94 **Resolutions 10-149 through 10-160** – Council President Norgaard made a motion,
95 seconded by Councilman Raucci made a motion to approve the aforementioned
96 Resolutions. All in favor none opposed.

97
98 **ADOPTION OF ORDINANCES**

99
100 Adoption of Ordinance 04-10 entitled:

101
102 **AN ORDINANCE AMENDING A PORTION OF CHAPTER 290 OF THE**
103 **ORDINANCES OF LEONIA TITLED “OB-OFFICE BUILDING ZONE”**

104 **Deputy Clerk read the title.**

105
106 **A motion** was made by Councilman Hawkins seconded by Councilwomen Brennan to
107 table the ordinance for the Laws and Ordinances Committee to discuss. All in favor none
108 opposed.

109
110 Adoption of Ordinance 05-10 entitled:

111
112 **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF LEONIA BY**
113 **AMENDING THE EXISTING SECTION 290-63A**

114 **Deputy Clerk read the title.**

115
116 Councilwomen Brennan wanted to clarify with the Borough Attorney who would be
117 responsible for the fine, the landlord or the resident? Borough Attorney Giblin explained
118 that the landlord and/or the resident could both be responsible for the fine at the discretion
119 of the Court.

120
121 **A motion** was made by Councilman Choi seconded by Councilman Raucci to approve
122 Ordinance 05-10. All in favor none opposed.

123
124 Adoption of Ordinance 06-10 entitled:

125
126 **AN ORDINANCE TO AMEND CODE OF THE BOROUGH OF LEONIA BY**
127 **CHANGING EXISTING SECTIONS 232-3 (F)**

128 **Deputy Clerk read the title.**

129
130 **A motion** was made by Council President Norgaard seconded by Councilman Choi to
131 approve ordinance 06-10. All in favor none opposed.

132
133 Adoption of Ordinance 07-10 entitled:

134

135 **AN ORDINANCE AMENDING ORDINANCE 49-4 TITLED “TABLE OF**
136 **ORGANIZATION” BY DELETING AND REPEALING ORDINANCE 49-4 AND**
137 **REPLACING IT WITH A NEW ORDINANCE 49-4, “TABLE OF**
138 **ORGANIZATION”**

139 **Deputy Clerk read the title.**

140
141 **A motion** was made by Councilman Raucci seconded by Council President Norgaard to
142 approve Ordinance 07-10. All in favor none opposed.

143
144 **UNFINISHED BUSINESS**

- 145 a) Guidelines for Stand-by duty for Fire and Ambulance – Councilwomen Brennan
146 explained that the Committee provided a draft of guidelines for the Fire
147 Department and Ambulance Corp when extra duty is appropriate. The Committee
148 feels there is a lack of communication between both departments and the Borough
149 Hall. The protocol that the Committee wishes to establish is that the Fire
150 Department and Ambulance Corps. are to notify the Administrator and the liaisons
151 of both departments, and the Mayor before and after all stand-by duties are
152 assigned. Mayor Heveran asked if something could be put in writing for the next
153 meeting.

154
155 **NEW BUSINESS**

- 156 a) Parking Fund Recommendations from Planning Board – Mayor Heveran, referring
157 to a letter that Carmine Alampi wrote in regards to JOP Brothers, LLC donating
158 one-hundred and fifty (150) thousand dollars to the Leonia Parking Trust Fund.
159 Mayor Heveran asked Borough Attorney Giblin to put together a resolution #10-
160 161 authorizing the Borough to accept the voluntary donation from JOP Brothers,
161 LLC.

162
163 **A motion** was made by Councilman Hawkins seconded by Councilman Raucci to approve
164 Resolution 10-161. Roll call vote – Councilpersons Norgaard, Brennan, Knott, Raucci,
165 Hawkins voted yes, Councilman Choi abstained.

166
167 **CORRESPONDENCE**

168
169 **COMMENTS FROM THE PUBLIC**

170
171 Mr. Silverstein – Grand Ave – Questioned the ordinance in regards to the landscaping
172 hours pertaining to the library ordinance 181-7 Paragraph “C”, if the landscapers start their
173 noise apparatus before 6pm is it permitted to continue after 6pm, the answer to the
174 question is “NO” they cannot. Borough Attorney Giblin advised the resident you can call
175 the police department assuming they have the man power to respond, or you can establish
176 probable cause, or you can go before the court and issue a summons yourself.
177 Mr. Silverstein also asked what is an RFP, Borough Attorney answered it’s a Request for a
178 Proposal.

180 Leah Roland – 186 Crescent Ave – expressed her concern that there was a sewer back up
181 on Crescent Ave over the weekend, unfortunately her basement was also affected. After
182 consulting with a DPW worker, a resident asked if anything can be done about people
183 flushing inappropriate items that are causing the backups to happen.

184
185 Ms. Roland also mentioned that she is troubled by the arrangement of variances on the
186 land that the Borough is accepting the Parking donation that JOP Brothers LLC, is
187 donating.

188
189 Leonel Morales – 189 Grand Ave – Mr. Morales spoke in regards to the Ambulance stand-
190 by duties that were discussed earlier in the meeting. He also addressed that the Ambulance
191 Corps. do an excellent job of serving the people of Leonia. Wants to keep a good neighbor
192 policy with the residents, also explained that no matter what the weather the volunteers
193 have to deal with a lot of issues pertaining to property maintenance conditions, etc.

194
195 **CLOSED SESSION**

196
197 Council President Norgaard made a motion to go into Closed Session to discuss finance
198 issues, seconded by Councilman Raucci. All in favor none opposed.

199
200 **ADJOURNMENT**

201
202 Councilman Hawkins made a motion to adjourn the meeting, seconded by Council
203 president Norgaard. All in favor none opposed.

204
205 As there was no further business before the Governing Body, the meeting was adjourned at
206 8:45PM.

207
208 Respectfully submitted,

209
210 Lynn Hemmer
211 Deputy Borough Clerk

212
213
214
215