

1 **Council Meeting/Work Session**
2 **Minutes**
3 **May 18, 2009**

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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 7:34pm*

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8 Mayor Heveran called the meeting to order.

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10 Mayor Mary Heveran asked the assembly to stand while Council President Choi led in
11 the Pledge of Allegiance.

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13 **Council Present:** *Mayor Heveran, Councilpersons, Hawkins, Choi, Norgaard,*
14 *Puzzo, Raspa-Gore, Raucci*

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16 **Council Absent:** *None*

17
18 **Also Present:** *Brian Giblin, Borough Attorney, Jack Terhune, Borough*
19 *Administrator; Lynn Hemmer*

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21 **Absent:** *Fran Lehmann, Borough Clerk*

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23 **OPEN MEETING STATEMENT**

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

27
28 Mayor Heveran noted the Fire Exit.

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30 **PUBLIC COMMENTS**

31
32 none

33 **PRESENTATION**

34
35 Mabel Reyes Farmers Market
36 Girl Scouts

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38 **APPOINTMENTS**

39 Mayor Heveran Appointed Christine Healy-Sammis – Shade Tree Commission; Steve
40 Hutnick to the Leonia Historic Preservation Commission. Adrienne Albanese, Jim Bach,
41 Joe Bevacqua, Dr, Marion Pinsdorff, Dr. Frank Livelli, Bill Russell, Alan Winters were
42 appointed to the Economic Development Advisory Committee. Mayor Heveran asked
43 Councilman Puzzo to continue as Liaison to the Committee.

44
45 **APPROVAL OF MINUTES**

47 Minutes – Council Meeting, May 4, 2009 – A motion was made by Councilman
48 Norgaard to approve as amended, the Minutes of May 4, 2009, seconded by Councilman
49 Puzzo. Roll call vote, all in favor none opposed.

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51 Closed Session – May 4, 2009 – A motion was made by Councilman Puzzo to approve
52 the Closed Session Minutes as presented, seconded by Councilman Norgaard. Roll call
53 vote, all in favor none opposed.

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55 **RESOLUTIONS**

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57 A motion was made by Councilman Hawkins, seconded by Councilman Raucci to
58 approve Resolution 09-114, 09-115 and 117. Roll call vote, all in favor none opposed.
59 Resolutions approved.

60

61 Resolution 09-116 – Councilman Raucci asked for a separate vote.

62 A motion was made by Councilman Puzzo, seconded by Councilman Norgaard to
63 approve Resolution 09-116. Roll call vote; Councilpersons Choi, Hawkins, Norgaard,
64 Puzzo and Raspa-Gore voted yes; Councilman Raucci abstained. Resolution approved.

65

66 **REPORTS OF STANDING COMMITTEES**

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68 **Finance, Administration and Personnel** – Councilman Puzzo – Nothing to report at this
69 time.

70

71 **Laws and Ordinances** – Councilwoman Raspa-Gore – will be discussed under
72 unfinished business.

73

74 **Police** – Councilman Raucci – Reported on the following topic: Councilman Raucci
75 commended Sgt. Carlson and Officer Ponsi for their initial handling of what could have
76 been a bad situation at the American Legion on May 8th. A call was received regarding
77 excessive noise, upon their arrival there were almost 400 young people in the American
78 Legion. Sgt. Carlson immediately called for assistance and 12 other Police Departments
79 responded as well as Officers Jennings and Mikitarian, and Fire Marshal David Haenelt.
80 Councilman Puzzo stated it was extremely impressive the way the crowd was dispersed.
81 Councilman Hawkins stated Sgt. Carlson did a wonderful job and made the proper
82 decision.

83 Borough Administrator Terhune suggested letters be sent to the officers who responded
84 commending them for their professionalism.

85 Council President Choi feels there needs to be more police presence in the business
86 district. When Sgt. Carlson is working he is very visible as well as the interns.

87 Mayor Heveran agreed with Council President Choi but also noted the presence has
88 improved greatly since she became Mayor.

89

90 **Fire** – Councilman Norgaard – Councilman Norgaard reported there were 29 calls for the
91 month of April. Councilman Norgaard will not be here for Memorial Day and has asked
92 Mayor Heveran to hand out the years of service pins in his absence. Deputy Chief

93 Wright, Captain Chace and former Chief Steven Oxnard were recently honored by the
94 200 Club and received the Meritorious Service Award, for the heroism in the Highwood
95 Avenue fire. They were honored at the annual Valor Luncheon. The Fire Department also
96 received a commendation the Life Saving Award from Englewood Hospital for an
97 incident that occurred on August 26, 2008 when a construction worker fell into a pit and
98 was rescued.

99
100 **Ambulance** – Council President Choi – Council President Choi reported that since
101 December 31st 2008 Leonel Morales has logged 5,696 hours and Jim Tappen 5,130 hours.
102 The number of calls for the first quarter is as follows; January 50 calls, February 50 calls,
103 March 49 calls, and April 23 calls.

104
105 **Public Works** – Councilman Hawkins reported on the following; Councilman Hawkins
106 thanked the DPW for a job well done on the preparations of Wood Park for Arbor/Earth
107 Day. The salt dome is completed except for a few minor checklist items. This has been a
108 long time coming.

109
110 **Real Estate and Insurance Committee** – Councilman Puzzo reported on the following;
111 The merchant member of the Committee has resigned and looking for a new member
112 perhaps Council President Choi knows a Korean merchant and/or resident who would
113 like to serve on the Committee. Parking Fund – parking spaces sell for \$23,000 in Fort
114 Lee. The reasoning in Fort Lee for the fee is property is valuable and the only way to go
115 is up. We are selling them for \$5,000. The Committee is recommending sending the
116 Ordinance back to Laws and Ordinance to increase the fee.
117 Mr. Terhune explained this is for a parking garage.

118
119 Texaco Property any of our Texaco property documents that we currently have should be
120 given to Bill Russell who has experience with all of that and can evaluate that property to
121 help us determine how far along and how far away we are potentially from that site being
122 cleaned up. Councilman Raucci reported on a discussion he had with Mr. Russell
123 regarding the property. Councilman Raucci also reported on a meeting with Birdsall
124 Engineering regarding the property. Mr. Terhune reported that Mr. Wagner, the Borough
125 Health Inspector has the reports. Proposal from Birdsall soon to be amended from their
126 environmental division as it relates to recommendation on where to go. The only thing
127 they reported today is they anticipated the property owner should be receiving a violation
128 notice shortly from the DEP.

129
130 **Administrator** –Administrator Terhune reported on a memo from the CFO regarding
131 moving Borough funds from TD North in Fort Lee to Provident Bank here in Leonia.
132 Mr. Terhune referred to a letter from Mr. Frank Regan, Attorney for Kulite requesting a
133 crosswalk on Willow Tree Road to accommodate the pedestrians employed by the
134 employees going back and forth from their various facilities. Through the winter months
135 we received a lot of complaints regarding the railroad crossing on Fort Lee Road. CSX
136 came in over the winter and patched the holes temporarily. Between the police
137 department and Mr. Terhune, they have been successful in getting CSX to agree to some
138 major re-construction of that crossing that will take place on May 21, 2009.

139 Elm Place Parking Lot – construction starts Wednesday morning, May 20, 2009 at
140 7:00am. Half the lot will be closed and they switch over to the other half. The police
141 department through the efforts of Councilman Raucci will suspend the alternate side
142 parking on Elm Place between Glenwood and Broad and on Crescent between Glenwood
143 and ACS School for the duration of the construction to accommodate for the deficiency
144 of parking spaces.

145
146 Mr. Terhune reported that the County Executive will be in Wood Park for a check
147 presentation to the Borough in the amount of \$111,300.00 on Tuesday, May 19th at
148 10:30AM, toward the reconstruction of Wood Park. That will be combined with the
149 Councils approval with the Green Acres funding that the Borough has received.

150
151 The deadline for submission for grants under Open Space Trust through Bergen County
152 is July 31st. If anyone has any recommendations please advise. The information has been
153 forwarded to the Recreation Commission. Mr. Terhune will also need time to receive
154 engineering estimates.

155
156 **Mayor** – Mayor Heveran reported that on Friday, April 24 attended the State Arbor Day
157 Presentation. Leonia is not only a Tree City but it is the 20th Anniversary for that
158 distinction and on behalf of the Borough I received an award which Mayor Heveran
159 presented to Jane Wilson who Chair of the Shade Tree Commission. On Wednesday,
160 May 6th Mayor Mary Heveran, Mr. Terhune, Mr. Giblin and Councilman Hawkins
161 attended a meeting with NJ Transit. So far to date no proposals have been made, no
162 traffic studies have been given to the Borough. Mayor Heveran will continue to fight for
163 full disclosure. It has become very frustrating to the members of this Governing Body
164 that the Borough has not received the proposal or the traffic study.

165
166 As Councilman Norgaard mentioned the 200 Club Valor Award was held and Fire
167 Department members Oxnard, Wright and Bobby Chace all received awards for going to
168 a burning building. The 200 Club not only gives out equipment to police, fire and
169 ambulance corps but also awards scholarships each year. Louis Kern, whose mother
170 works at the Recreation Center and his father who is a Bogota fireman, Robert Pawlick
171 Jr., who is Leonia Fireman and will be attending Georgetown; Brielle Klein who is a
172 member of the Leonia Volunteer Ambulance Corps will be attending Muhlenberg
173 College. The Governing Body thanks the 200 Club and Mr. Terhune, who is president of
174 the 200 Club for acknowledging these young adults.

175
176 Saturday, May 16th was Korean Piety Day which Mayor Heveran attended which is the
177 day the Korean Community honors their elders. Mayor Heveran reported it was a
178 beautiful event and told the crowd why Council President Choi was not in attendance, his
179 daughter graduated from law school that weekend, and they were all very happy for you
180 and your family.

181 Mayor Heveran reported on Leonia Day.
182 Please one and all remember Memorial Day.

183
184 **Special Bodies**

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186 Councilwoman Raspa-Gore – Library-they are coordinating a seminar either June 2nd or
187 3rd on mental illness. Councilwoman Raspa-Gore asked if the presentation could be given
188 for Borough employees on this topic. Sunday Closing has been discussed at length. The
189 Library has prepared a statement outlining the reasons for the closing.
190 Councilman Hawkins thanked everyone for their involvement on Leonia Day especially
191 Martha Lieblich.

192

193 **PRESENTATION**

194 Mabel Reyes – explained what has been occurring since she last met with the Governing
195 Body regarding a Farmers Market in Leonia. Mr. Terhune noted that the Superintendent
196 of Schools was present. Mr. Terhune explained that they have not approached the Board
197 of Ed because things were still in the talking stage. Mr. Terhune explained what was
198 being proposed for Dr. Josefsberg. Mr. Terhune also suggested using a portion of Station
199 Parkway between the railroad tracks and the roadway and there would be more traffic
200 with the area in proximity to Overpeck Park. Councilman Hawkins agreed with the idea
201 of Station Parkway. Councilman Hawkins felt that with the Market on Station Parkway it
202 could be a Thursday. Councilman Norgaard would like to see a Saturday versus a
203 weekday. Ms. Reyes said that could be done next year but this year we are new at doing
204 this if it is successful we could possibly draw more farmers to have on Saturday. Council
205 President Choi expressed concern about the seniors who do not drive. Mayor Heveran
206 said the Sr. Bus could be utilized for those who do not drive. Councilman Puzzo thanked
207 Ms. Reyes for all her time she has dedicated to getting a farmers market started in Leonia.
208 Councilman Puzzo asked about advertising. Ms. Reyes explained that with the fee she
209 paid to the Farmers Council there will be advertising on their website will create signs.
210 Councilman Raucci thanked Ms. Reyes. He agreed Station Parkway is a great area. He
211 agrees Saturday would be better. Councilwoman Raspa-Gore agrees that Station Parkway
212 is the best location. Councilman Hawkins agreed with the location.

213

214 **INTRODUCTION OF ORDINANCE**

215 Introduction of Ordinance 08-09 entitled:

216

217 **BOND ORDINANCE TO REAUTHORIZE THE MAKING OF VARIOUS**
218 **PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF**
219 **LEONIA, IN THE COUNTY OF BERGEN, NEW JERSEY, AND TO**
220 **AUTHORIZE THE ISSUANCE OF BONDS NOT EXCEEDING \$5,750,000**
221 **OF BONDS TO FUND BOND ANTICIPATION NOTES ISSUED OR**
222 **AUTHORIZED TO BE ISSUED FOR SUCH PUBLIC IMPROVEMENTS.**

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224 **Motion** made by Councilman Hawkins, seconded by Councilman Raucci to adopt
225 on first reading Ordinance 08-09

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227 **ROLL CALL** all Councilpersons present voted yes. Ordinance 08-09 introduced.

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229 **ADOPTION OF ORDINANCE**

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UNFINISHED BUSINESS

- a) Elm Place Parking –Proposed Ordinance – Councilwoman Raspa-Gore stated she placed a report on everyone’s desk with the Laws and Ordinances Committee recommendations. In last weeks packet everyone received a copy of the minutes from Mr. Terhune regarding the meeting that was held on Friday, April 24, 2009. Councilwoman Raspa-Gore reviewed her report.

- b) Wood Park Grants (May 4, 2009) Borough Administrator Mr. Terhune covered everything in his earlier report.

NEW BUSINESS

CORRESPONDENCE

Mayor Heveran referred to an e-mail from a resident regarding the street cleaning of Schor Avenue. The street cleaner cannot clean the street.

The Zoning Board has received a resignation from Mr. McCartney effective immediately.

COMMENTS FROM THE PUBLIC

Marcia Wilson – 529 Leonia Avenue- Ms. Wilson inquired about the farmers market. Mayor Heveran responded to her question.

Ms. Wilson asked for an explanation of the parking fee \$5,000 going to a proposed \$23,000. Mr. Giblin explained the Borough passed a resolution in past year creating a dedicated fund by Rider for parking. Mr. Giblin explained that anytime a developer comes into to town or someone who wants to donate to a parking fund the Borough will take that money and put it in a separate account and that will be used for the creation, construction or maintenance of parking facilities. There was a suggested amount of \$5,000 based on the fact that the parking would be on level ground but not a parking facility. That \$23,000 per space is the approximate cost of going up. It is between \$20,000 and \$30,000 per space. That is where Fort Lee got there number from. Ms. Wilson asked how many spaces in the Elm Place Lot? Councilwoman Raspa-Gore stated 112 spaces. Councilwoman Raspa-Gore explained the proposal for the spaces in the Elm Place Lot. Ms. Wilson asked about the Yamato Property and a meeting about the property. Councilman Raucci explained about the meeting.

CLOSED SESSION

Councilman Hawkins made a motion to go into Closed Session seconded by Councilman Raucci to discuss the following: Noise, Litigation and Liquor License.

All in favor none opposed.

OPEN SESSION

A motion was made by Councilman Hawkins to authorize the Borough Attorney to file suit against the County of Bergen to enforce the terms of the 1970 agreement, seconded by Council President Choi. All in favor.

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278 **ADJOURN**

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280 Councilman Raucci made a motion to adjourn, seconded by Councilman Norgaard. All
281 in favor none opposed.

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283 As there was no further business before the Governing Body, the meeting was adjourned
284 at 10:50PM

285

286 Respectfully submitted,

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289

290 Fran Lehmann

291 Borough Clerk