

1 **Council Meeting/Work Session**
2 **Minutes**
3 **August 3, 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.

9
10 Mayor Mary Heveran asked the assembly to stand while Council President Choi led in
11 the Pledge of Allegiance.

12
13 **Council Present:** *Mayor Heveran, Councilpersons, Choi Hawkins, Norgaard,*
14 *Raspa-Gore, Raucci*

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16
17 **Council Absent:** *Councilman Puzzo*

18
19 **Also Present:** *Brian Giblin, Borough Attorney, Jack Terhune, Borough*
20 *Administrator; Fran Lehmann, Borough Clerk*

21
22 **OPEN MEETING STATEMENT**

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

26
27 Mayor Heveran noted the Fire Exit.

28
29 **PUBLIC COMMENTS**

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31 Cliff Eddens – 219 Overlook Avenue – Mr. Eddens voiced his objection to the
32 continuance of the off leash hours in Lakeview Park.

33
34 Rae Kornblitt – 596 Broad Avenue – Ms. Kornblitt stated this is a small neighborhood
35 park. It is a great place to go and play ball with your children. Ms. Kornblitt stated that
36 255 residents have asked that this ordinance be rescinded.

37
38 Alberto Castro – 592 Broad Avenue – Mr. Castro spoke about off leash hours in
39 Lakeview Park.

40
41 Debra Wright – 600 Broad Avenue – Mrs. Wright asked the Governing Body to put the
42 dog run somewhere else.

43
44 Rosio Torres – 107 Christie Street – Ms. Torres had a message of gratitude and hope and
45 thanked the Governing Body for the off-leash hours in Lakeview Park. Ms. Torres stated

46 she has been intimidated and harassed and still goes back to the park with her dog and
47 children.

48
49 Anthony Yee 332 Beechwood Place – Mr. Yee stated he has signed complaints about the
50 residents who are opposed to the dog run.

51
52 Leah Roland – 186 Crescent Avenue – Mrs. Roland hoped that a compromise could be
53 met and let sleeping dogs lie.

54
55 Mayor Heveran explained to those in attendance who did not know what the issues are.

56
57 **PRESENTATION**

58
59 Cid Wilson 215 Broad Avenue – Mr. Wilson gave an overview of the activities for
60 Nation Night Out which is held on the first Tuesday in August.

61
62 Girls Scout Troop 511 – Leaders Anje Bellin and Roberta Lopez gave a brief overview of
63 the presentation. Kimberly Bacchia, 239 Magnolia explained the program to the Mayor
64 and Council and those present. Mayor Heveran inquired as to the amount of people that
65 would need to be on the committee. Mrs. Lopez reported 10. Mayor Heveran thanked the
66 girls for bringing the project to the Governing Body.

67
68 **APPROVAL OF MINUTES**

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70 Minutes – Council Meeting, July 6, 2009 – A motion was made by Council President
71 Choi seconded by Councilman Norgaard to approve, the Minutes of July 6, 2009.
72 Roll call vote; Councilpersons Choi, Hawkins, Norgaard, and Raucci voted yes.
73 Councilman Puzzo was absent; Councilwoman Raspa-Gore abstained. Minutes approved.

74
75 Closed Session – July 6, 2009 – A motion was made by Councilman Norgaard to approve
76 the Closed Session Minutes as presented, seconded by Council President Choi.
77 Roll call vote; Councilpersons Choi, Hawkins, Norgaard, and Raucci voted yes.
78 Councilman Puzzo was absent; Councilwoman Raspa-Gore abstained. Minutes approved.

79
80 Special Meeting – July 13, 2009 – A motion was made by Councilman Hawkins,
81 seconded by Councilman Norgaard to approve the Special Meeting Minutes of July 13,
82 2009.
83 Roll call vote; Councilpersons Choi, Hawkins, Norgaard, and Raucci voted yes.
84 Councilman Puzzo was absent; Councilwoman Raspa-Gore abstained. Minutes approved.

85
86 **RESOLUTIONS**

87
88 Councilman Hawkins requested Resolutions be held for 09-160, 09-163, 09-164 for
89 discussion.

90

91 Resolution 09-160 – Councilman Hawkins asked where the back-up was on the
92 resolution. The Borough Clerk reported that this is the tax settlement that Mr. Apicella,
93 the Tax Collector explained to him and Councilman Norgaard.
94
95 Resolution 09-163 – Councilman Hawkins asked for an explanation. Mr. Terhune
96 explained it was necessary to obtain quotes for insurance to try and save money for the
97 Borough.
98
99 Resolution 09-164 – Councilman Hawkins made a motion to table the Resolution,
100 seconded by Councilman Raucci all in favor none opposed.
101 Councilman Norgaard 09-165 questioned the resolution Mr. Terhune explained the signs
102 could not be ordered until the Ordinance was in place and they must meet state
103 guidelines. Councilman Norgaard questioned the cost for installation. Mr. Terhune said it
104 is in line for the installation of the signs per the engineer.
105
106 Council President Choi asked for a separate vote on Resolution 09-159.
107
108 Councilman Hawkins, seconded by Councilman Raucci made a motion to approve
109 Resolution 09-154 -09-158, 09-160-09-163, 09-165, 09-166, 09-168, 09-170 and 09-171.
110 Roll Call vote; Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted
111 yes. Councilman Puzzo was absent. Resolutions approved.
112
113 Resolution 09-159 –Councilman Hawkins made a motion to approve Resolution 09-159
114 seconded by Councilman Raucci. Roll call vote; Councilpersons Hawkins, Norgaard,
115 Raspa-Gore and Raucci voted yes. Council President Choi abstained, Councilman Puzzo
116 absent.
117
118 Resolution 09-167 was held for discussion in closed session. Resolution 09-169 was
119 taken off the agenda until the budget is approved by the State.
120
121 **REPORTS OF STANDING COMMITTEES**
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123 **Finance, Administration and Personnel** – Councilman Puzzo – Councilman Puzzo was
124 absent no report.
125
126 **Laws and Ordinances** – Councilwoman Raspa-Gore – Councilwoman Raspa-Gore no
127 report.
128
129 **Police** – Councilman Raucci – Councilman Raucci reported the Police Department has
130 received a grant for DWI enforcement. Councilman Raucci reported that 1,045
131 summonses were issued in July and the Leonia Police Department is now “Twitter”.
132
133 **FIRE** – Councilman Norgaard reported that when the budget is adopted there will be
134 funds to purchase seven sets of turnout gear. The department is still looking to replace
135 two trucks. The volunteers at the department are making the needed repairs on the trucks

136 there by saving the Borough money. There were 40 calls for July and a house fire on Fort
137 Lee Road.

138

139 **Ambulance** – Council President Choi – Council President Choi no special report.

140

141 **Public Works** – Councilman Hawkins - Councilman Hawkins the DPW is very tight on
142 money they will need to tighten their belts.

143

144 **Real Estate and Insurance Committee** – Councilman Puzzo was absent no report.

145

146 **Administrator** –Administrator Terhune commended the Deputy OEM Coordinator,
147 Kathy Vivianni who worked with the Red Cross in locating 21 residents as a result of the
148 fire on Fort Lee Road.

149

150 The new calendar has not been mailed out.

151

152 Police Department has received their new hybrid vehicle it will be utilized by the
153 Detective bureau and for that reason there are no pictures available.

154

155 Broad Avenue will be completed before school starts weather permitting. Still waiting for
156 the soil samples for the under ground storage tank by the Recreation Center.

157

158 **Mayor** – Mayor Heveran August 4th is National Night Out. Mayor Heveran urged
159 everyone to come out and join all the emergency services in this family oriented night in
160 the fight against crime.

161

162 Members from Dudley Allen’s family will be in attendance for the dedication of the park.

163

164 Mayor Heveran read a memo from Marion Cassidy, Senior Coordinator – the Borough
165 has been approved for a new extended senior bus.

166

167 Mayor Heveran will have a statement later in the meeting regarding Lakeview Park.

168

169 Mayor Heveran commended the fire department for their work at the house fire at 174
170 Fort Lee Road.

171

172 **Special Bodies**

173

174 Historic Preservation - Councilman Norgaard announced the date for the renaming of the
175 Lakeview Park to the Dudley Allen Park is, going to be changed. The 20th of September
176 is the second day of Rosh Hashanah. The dedication will take place over Halloween and
177 will be tied into “Treat Street”.

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179 Council President Choi reported the antique car show was very successful.

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181 Councilman Hawkins reported the “Green Team” had its first meeting.

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Councilman Raucci commended Marion Cassidy on the new bus. The weather has hurt the use of the pool.

INTRODUCTION OF ORDINANCE

Introduction of Ordinance 11-09 entitled:

**AN ORDINANCE AMENDING ORDINANCE NO. 194-31 TITLED
“SCHEDULE II: NO PARKING CERTAIN HOURS” AND REGULATING
PARKING WITHIN THE BOROUGH**

Borough Clerk read the Ordinance by Title

Motion made by Councilman Hawkins, seconded by Councilman Norgaard to adopt on first reading Ordinance 11-09

ROLL CALL Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted yes. Councilman Puzzo was absent. Ordinance Introduced

Introduction of Ordinance 12-09 entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTERS 123 AND 236 OF THE BOROUGH OF LEONIA LAND
DEVELOPMENT REGULATIONS RELATIVE TO FEES AND
ESCROWS.**

Borough Clerk read the Ordinance by Title

Motion made by Councilman Hawkins, seconded by Councilman Norgaard to adopt on first reading Ordinance 12-09

ROLL CALL Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted yes. Councilman Puzzo was absent. Ordinance Introduced

Introduction of Ordinance 13-09 entitled:

**AN ORDINANCE AMENDING ORDINANCE NO. 194-31 TITLED
“SCHEDULE II: NO PARKING CERTAIN HOURS ” AND
REGULATING PARKING WITHIN THE BOROUGH OF LEONIA.**

Borough Clerk read the Ordinance by Title

Motion made by Councilman Hawkins, seconded by Councilman Norgaard to adopt on first reading Ordinance 13-09

ROLL CALL Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted yes. Councilman Puzzo was absent. Ordinance Introduced

Introduction of Ordinance 14-09 entitled:

227 **AN ORDINANCE AMENDING ORDINANCE NO. 194-43 TITLED**
228 **“SCHEDULE XIV: LEFT AND RIGHT TURNS” AND REGULATING**
229 **TRAFFIC WITHIN THE BOROUGH OF LEONIA.**

230 Borough Clerk read the Ordinance by Title

231 **Motion** made by Council President Choi, seconded by Councilman Norgaard to
232 adopt on first reading Ordinance 14-09

233
234 **ROLL CALL** Councilpersons Choi, Hawkins, Norgaard, and Raucci voted yes.
235 Councilman Puzzo was absent. Councilwoman Raspa-Gore voted no. Ordinance
236 Introduced

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238 Introduction of Ordinance 15-09 entitled:

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240 **AN ORDINANCE AMENDING AND SUPPLEMENTING**
241 **CHAPTER 236 OF THE CODE OF THE BOROUGH OF LEONIA**
242 **SITE PLAN REVIEW REGULATIONS TO ESTABLISH FEES**
243 **AND ESCROWS FOR INFORMAL REVIEW OF CONCEPT PLANS**

244 Borough Clerk read the Ordinance by Title

245 **Motion** made by Councilman Hawkins, seconded by Council President Choi to
246 adopt on first reading Ordinance 15-09

247
248 **ROLL CALL** Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci
249 voted yes. Councilman Puzzo was absent. Ordinance Introduced

250
251 **ADOPTION OF ORDINANCE**

252 Adoption of Ordinance 10-09 entitled:

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254 **AN ORDINANCE TO FIX OR REPORT SALARIES, WAGES OR**
255 **COMPENSATION AND TO ESTABLISH SALARY & WAGE RANGES**
256 **OF CERTAIN OFFICERS, EMPLOYEES AND PUBLIC SERVANTS OF**
257 **THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN AND**
258 **STATE OF NEW JERSEY FOR THE YEAR BEGINNING AND**
259 **RETROACTIVE TO JANUARY 1, 2009.**

260 Borough Clerk read the Ordinance by Title

261 Public Hearing

262 Mrs. Leah Roland 186 Crescent Avenue – Mrs. Roland inquired what this
263 ordinance is for. Mr. Terhune explained this is for salaries for all non-union
264 employees.

265
266 **Motion** made by Council Hawkins, seconded by Council President Choi to adopt
267 on final reading Ordinance 10-09

268
269 **ROLL CALL** Councilpersons Choi, Hawkins, Norgaard Raspa-Gore and Raucci
270 voted yes, Councilman Puzzo was absent. Ordinance 10-09 adopted.

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272

273 **UNFINISHED BUSINESS**

- 274
- 275 a) Kulite Crosswalk Request - Mr. Terhune referred to the memo from Chief
- 276 Ziegler whom does not recommend the crosswalk because of site line
- 277 visibility.
- 278
- 279 b) 400 Willow Tree – Councilman Hawkins reported on a meeting held with Mr.
- 280 Terhune and Mr. Kevin Donnelly, aid to Senator Rothman. Councilman
- 281 Hawkins reported the meeting was held to see if there were any federal funds
- 282 available for the purchase of 400 Willow Tree to make it a new Borough
- 283 facility to house numerous Borough Offices. Mr. Donnelly told them there are
- 284 no Federal funds available, but there may be funds for programs etc. There is
- 285 a lot of thinking to do before this can go forward.
- 286
- 287 c) Closure/one way consideration of side streets of Bergen Boulevard – Mayor
- 288 Heveran explained this was discussed at an earlier meeting. What would the
- 289 Council like to do if anything with this issue? Councilman Norgaard felt it
- 290 was not an issue at this time since nothing has been done on the 604 Main
- 291 Street Project. Councilman Hawkins it is very convenient coming from NYC
- 292 not sure if there are a lot of break-ins in the area would be willing to think
- 293 about it. Anything that would be done there would need DOT approval.
- 294 Councilman Raucci leave the roads as they are.
- 295
- 296 d) Linden Terrace – Mr. Giblin reported there is no separate deed created by the
- 297 Planning Board the Borough clearly owns the property. The chain has been
- 298 moved to allow for pedestrian traffic and dog walking. Councilman Raucci the
- 299 property has been used by pedestrians for the last 50 years. There are some
- 300 legal issues there that need to be looked into.
- 301
- 302 e) Yamato/Texaco Property – Councilman Raucci Birdsall has started the second
- 303 process and a report should be ready shortly.
- 304
- 305 f) Lakeview Park – Mayor Heveran there are two separate issues 1) off-leash
- 306 hours; the Council agreed unanimously not to change the off-leash hours. 2)
- 307 Basketball court, volleyball ct. and what is there now. Mayor Heveran has
- 308 suggested the fence be raised hirer. The equipment that is underused being
- 309 removed to another site. Replace with swings, plantings, and picnic tables.
- 310 Mayor Heveran reported she has met with various groups. The Ordinance will
- 311 not be rescinded. 250 people don't want a fence. The park does not belong to
- 312 anyone person or anyone neighborhood but to everyone. Councilwoman
- 313 Raspa-Gore – Agree with off-leash hours. She would also like to see two
- 314 picnic tables.
- 315 Mayor Heveran we have an opportunity here to make improvements.
- 316 Councilman Raucci agree with off-leash hours. There are several parks in
- 317 Leonia the Borough is only one mile square. The Recreation Commission has
- 318 been more than fair on this issue.

319 Council President Choi – this issue has been stressful for everyone. The
320 Community is being divided. Need to keep an open mind and find
321 compromise not solitude.
322 Councilman Norgaard moving the equipment can be expensive and removing
323 it might be also expensive. There was a time the park was not being used by
324 anyone. Now it is being used. Plans are open for public input.
325 Councilman Hawkins Leonia is a small town with a civilized society the
326 Governing Body is open to suggestions.

327
328 Mayor Heveran there is no definite plan for the park, it is all about
329 compromise. Mayor Heveran will have a separate meeting with Councilman
330 Raucci to have police enforcement.

331
332 **NEW BUSINESS**

333 No new business on the agenda.

334 **CORRESPONDENCE**

335

336 **COMMENTS FROM THE PUBLIC**

337

338 Anthony Yee – 332 Beechwood Place – Mr. Yee suggested adding things for toddlers
339 and young children. The dog owners are self policing. If a dog is aggressive it is not
340 allowed in the park. There are people who pick up after all dogs. The area for dogs
341 should be in the south end of the park.

342

343 Cliff Eddens 219 Overlook Avenue – the fire department needs safety gear yet money is
344 being spent on a dog park.

345

346 Leah Roland 186 Crescent Avenue – Mrs. Roland had several questions 1) Resolution
347 09-170 Ms. Roland inquired about the tree specialist. Mr. Terhune explained this is done
348 for the plantings of the shade tree commission every fall. 2) Desperate situation at the
349 DPW what is happening there Mr. Terhune explained that much of the heavy equipment
350 needed unforeseen repairs and right now they have a shortfall in their budget. One
351 remedy would be a budget amendment. 3) Ms. Roland her Grandchildren love the
352 equipment in Lakeview Park. 4) The crosswalks are generally ignored on Fort Lee Road.
353 One is needed near the Library. 5) Parking is an issue and would be even more so if the
354 Recreation Center is turned into a small mall.

355

356 Debra Wright 600 Broad Avenue – spoke against the off leash hours

357

358 Arthur Bergman – 24 Meadow View Court – read a letter to the Mayor and Council. Mr.
359 Bergman asked why the Fire Department is not doing fund raising to help with the cost of
360 equipment.

361

362 Joanne Green – 141 Sylvan Avenue thanked the Council for the off-leash hours at Lake
363 View Park. Ms. Green also said the area behind the pool would not be practical because it
364 is always wet. Councilman Hawkins explained the issue behind the pool.

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Kathy Summer – 438 Greenway Drive – Thanked the Council for the off-leash hours.
Ms. Summer also spoke about compromise.

Dwayne Wright – 600 Broad Avenue – Mr. Wright said he all for compromise but there
are residents who do not clean up after their dogs.

CLOSED SESSION

Councilman Hawkins made a motion to go into Closed Session, seconded by Councilman
Norgaard to discuss the following: Litigation Over Peck Park; Personnel – Police;

A motion by Councilman Raucci second by Councilman Puzzo to reopen the public
portion of the meeting, all in favor none opposed.

Open Session

Councilman Hawkins made a motion to extend the meeting another 5 minutes, seconded
Councilman Raucci. All in favor none opposed.

Resolution 09-167 – Councilman Raucci made a motion to approve Resolution 09-167,
seconded by Councilman Hawkins. Roll call vote Councilpersons Choi, Hawkins,
Norgaard Raspa-Gore and Raucci voted yes, Councilman Puzzo was absent. Resolution
approved.

Mr. Terhune informed the Council he would be out starting on Monday, August 10, 2009
as he was having surgery. Mr. Terhune recommended making Myrna Becker, CFO as
Acting –Borough Administrator in his absence. All in favor none opposed.

ADJOURN

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

As there was no further business before the Governing Body, the meeting was adjourned
at 10:42PM

Respectfully submitted,

Fran Lehmann
Borough Clerk