

1 **Council Meeting/Work Session**
2 **Minutes**

3
4 **September 9, 2009**

5
6 *A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County,*
7 *New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:34 pm.*

8
9 Mayor Heveran called the meeting to order.

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

13
14 Mayor Heveran asked for a moment of silence for Josephine Patti, the mother of Frank
15 Patti who was 96.

16
17 **Council Present:** *Mayor Heveran, Councilpersons, Choi, Hawkins, Norgaard,*
18 *Puzzo, Raspa-Gore, Raucci*

19
20 **Council Absent:** *none*

21
22 **Also Present:** *Brian Giblin, Borough Attorney, Jack Terhune, Borough*
23 *Administrator Fran Lehmann, Borough Clerk*

24
25 **OPEN MEETING STATEMENT**

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

29
30 Mayor Heveran noted the Fire Exit.

31
32 **PUBLIC COMMENTS**

33
34 Rae Kornblitt, 569 Broad Avenue – Ms. Kornblitt stated she is a member of the “Save
35 Lakeview Park Association.” 255 people have signed petitions to put dogs back on
36 leashes. They request that the fences be removed and allow full access to run and play
37 ball with their children. Ms. Kornblitt would like the \$28,000 that is going to be spent on
38 the improvement to Lake View Park given to the dog owners to make a dog run on
39 another piece of Borough land and give the park back to the neighborhood.

40
41 Paul King, 152 Longview Avenue – Mr. King inquired if there has been any discussion
42 allowing someone to use a camcorder to record the meeting and put it on the Website?
43 Mayor Heveran deferred to the Borough Attorney. Mr. Giblin stated the Borough could
44 record. However, those citizens wishing to speak to the governing body not wanting to be
45 filmed could pose a concern for the borough. He offered caution in such a procedure.

47 **APPROVAL OF MINUTES**

48
49 Minutes August 3, 2009 – Council President Choi made a motion to approve as amended,
50 the Council Meeting Minutes of August 9, 2009, seconded by Councilman Raucci. Roll
51 call vote: Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted yes.
52 Councilman Puzzo abstained. Minutes approved.

53
54 Closed Session Minutes August 3, 2009 – Councilman Hawkins made a motion to
55 approve, seconded by Councilman Puzzo the Closed Session Minutes of August 3, 2009.
56 Roll call vote: Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted
57 yes. Councilman Puzzo abstained. Minutes approved.

58
59
60 Special Meeting, August 17, 2009 – Councilman Hawkins made a motion to approve as
61 amended, the Special Meeting Minutes of August 17, 2009, seconded by Councilman
62 Puzzo. Roll Call vote; Councilpersons Choi, Hawkins, Puzzo and Raucci voted yes.
63 Councilpersons Norgaard and Raspa-Gore abstained. Minutes approved.

64
65 Closed Session, August 17, 2009 – Councilman Puzzo made a motion to approve the
66 Closed Session Minutes of August 17, 2009, seconded by Councilman Hawkins.
67 Roll Call vote; Councilpersons Choi, Hawkins, Puzzo and Raucci voted yes.
68 Councilpersons Norgaard and Raspa-Gore abstained. Minutes approved.

69
70 **RESOLUTIONS**

71
72 Resolution 09-175 – 09-183 – A motion was made by Councilman Raucci to approve the
73 Resolutions, seconded by Councilwoman Raspa-Gore. Roll Call vote; Councilpersons
74 Choi, Hawkins Norgaard, Puzzo, Raspa-Gore and Raucci voted yes. Resolution
75 approved.

76
77 **Introduction of Ordinance**

78 Introduction of Bond Ordinance 16-09 entitled:

79
80 **BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW**
81 **ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY**
82 **IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF**
83 **BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF**
84 **\$23,350 TO PAY THE COST THEREOF, TO MAKE A DOWN**
85 **PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE**
86 **SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF**
87 **BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE**
88 **OF SUCH BONDS .**

89 **Borough Clerk Read the Ordinance by Title**

90 **Motion** made by Councilman Puzzo, seconded by Councilman Norgaard to adopt
91 on first reading, Ordinance 16-09.
92

93 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
94 Raucci voted yes. Ordinance 16-09 introduced.

95
96 Introduction of Ordinance 17-09 entitled:
97 **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF**
98 **LEONIA, CHAPTER 245 THEREOF, ENTITLED “STORMWATER**
99 **CONTROL”, BY AMENDING SECTION 245-2 “DEFINITIONS’,**
100 **RENUMBERING SECTIONS 245-11 AND 245-12 AND BY ADDING A**
101 **NEW SECTION 245-11 ENTITLED “PRIVATE STORM DRAIN INLET**
102 **RETROFITTING” AND A NEW SECTION 245-12 ENTITLED “REFUSE**
103 **CONTAINERS/DUMPSTERS.”**

104 **Borough Clerk read the Ordinance by Title**

105
106 **Motion** made by Councilman Hawkins, seconded by Councilman Puzzo to adopt
107 on first reading, Ordinance 17-09.

108
109 ROLL CALL: Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
110 Raucci voted yes. Ordinance 17-09 introduced.

111
112 **Adoption of Ordinance**

113
114 Adoption of Ordinance 11-09 entitled:
115
116 **AN ORDINANCE AMENDING ORDINANCE NO. 194-31 TITLED**
117 **“SCHEDULE II: NO PARKING CERTAIN HOURS” AND REGULATING**
118 **PARKING WITHIN THE BOROUGH**

119 **Borough Clerk read the Ordinance by Title**
120 **(Public Hearing) no one spoke**

121 **Motion** made by Councilman Hawkins, seconded by Councilman Choi to adopt
122 on final reading, Ordinance 11-09

123
124 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
125 Raucci voted yes. Ordinance 11-09 adopted.

126
127 Adoption of Ordinance 12-09 entitled:
128
129 **AN ORDINANCE AMENDING AND SUPPLEMENTING**
130 **CHAPTERS 123 AND 236 OF THE BOROUGH OF LEONIA LAND**
131 **DEVELOPMENT REGULATIONS RELATIVE TO FEES AND**
132 **ESCROWS.**

133 **Borough Clerk read the Ordinance by Title**
134 **(Public Hearing) no one spoke**

135 **Motion** made by Councilman Hawkins, seconded by Councilman Norgaard to
136 adopt on final reading, Ordinance 12-09.

137

138 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
139 Raucci voted yes. Ordinance 12-09 adopted.

140
141 Adoption of Ordinance 13-09 entitled:

142
143 **AN ORDINANCE AMENDING ORDINANCE NO. 194-31 TITLED**
144 **“SCHEDULE II: NO PARKING CERTAIN HOURS” AND REGULATING**
145 **PARKING WITHIN THE BOROUGH OF LEONIA.**

146 **Borough Clerk read the Ordinance by Title**
147 **(Public Hearing) no one spoke**

148 **Motion** made by Councilman Puzzo, seconded by Councilman Norgaard to adopt
149 on final reading, Ordinance 13-09.

150
151 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raucci voted
152 yes, Councilwoman Raspa-Gore voted no. Ordinance 13-09 adopted.

153
154 Adoption of Ordinance 14-09 entitled:

155
156 **AN ORDINANCE AMENDING ORDINANCE NO. 194-43 TITLED**
157 **“SCHEDULE XIV: LEFT AND RIGHT TURNS” AND REGULATING**
158 **TRAFFIC WITHIN THE BOROUGH OF LEONIA.**

159 **Borough Clerk Read the Ordinance by Title**
160 **(Public Hearing) no one spoke**

161 **Motion** made by Councilman Norgaard, seconded by Councilman Raucci to
162 adopt on final reading, Ordinance 14-09.

163
164 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raucci voted
165 yes, Councilwoman Raspa-Gore voted no. Ordinance 14-09 adopted.

166
167 Adoption of Ordinance 15-09 entitled:

168
169 **AN ORDINANCE AMENDING AND SUPPLEMENTING**
170 **CHAPTER 236 OF THE CODE OF THE BOROUGH OF LEONIA**
171 **SITE PLAN REVIEW REGULATIONS TO ESTABLISH FEES**
172 **AND ESCROWS FOR INFORMAL REVIEW OF CONCEPT PLANS**

173 **Borough Clerk Read the Ordinance by Title**
174 **(Public Hearing) no one spoke**

175 **Motion** made by Council President Choi, seconded by Councilman Hawkins to
176 adopt on final reading, Ordinance 15-09.

177
178 **ROLL CALL:** Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
179 Raucci voted yes. Ordinance 15-09 adopted.

180
181 **UNFINISHED BUSINESS**

182 a) Yamato/Texaco (Councilman Raucci) - Councilman Raucci announced the
183 report has been received from Birdsall Engineering regarding the property.

184 After a review of the report, the Council will have a better understanding of
185 the condition of the property. Mr. Terhune reported this is the first of three
186 reports forthcoming. The next one is the Historical Review and the last one
187 will be the Projected Clean-up. Councilman Puzzo asked if the report was
188 available electronically. Mr. Terhune will contact Ms. Elliott to see if that
189 option is available.

190

191 **NEW BUSINESS**

192 a) Time Warner Cable Franchise Renewal: Mr. Giblin reported he reviewed the
193 documents received by the Borough and there is no problem with the
194 documents. Councilman Hawkins asked if the cable company had an
195 exclusive agreement with the Borough. Mr. Giblin responded it does not. A
196 resident can choose either Verizon Fios, Cable or Satellite Dish. Verizon
197 received statewide approval to install Fios throughout the State.

198

199 b) H2M Proposal for Light Rail: Councilman Norgaard was not comfortable
200 with only one contractor to choose from. Mr. Terhune explained that others
201 had been received but there were conflicts of interest with them. The “DEIS”
202 is being released in a month and the Borough will have 45 days to comment.
203 Councilman Puzzo stated the Council needs to determine what they want for
204 the Borough. Mayor Heveran requested information as to what will be made
205 available for the Borough of Leonia in this proposal. Councilman Norgaard
206 reported the Transportation Committee has done a great job. There is still a
207 need to find out what the impact will be on the infrastructure and the traffic
208 that will be generated. Councilman Hawkins stated H2N is a fairly renowned
209 firm. They are a very thorough company and he feels they will look over
210 “DEIS” to find any problems that may be there that members of the
211 Governing Body may not be aware of.

212

213 c) Sustainable Land Use Pledge: Councilman Hawkins explained the resolutions.
214 Mayor Heveran and Councilman Puzzo questioned the parking regulations in
215 the resolution. After a brief discussion the Governing Body amended the
216 paragraph.

217

218 Councilwoman Raspa-Gore made a motion to approve the Sustainable Land
219 Use Pledge, Resolutions 09-184, seconded by Councilman Puzzo. Roll call
220 vote, all in favor, none opposed. Resolution approved.

221

222 **CORRESPONDENCE**

223

224 Mayor Heveran read a thank you note from Kelly O’Toole who works in the Violations
225 Office. She had a baby boy, August 11, 2009.

226

227 Mayor Heveran referred to a letter from Meadow View Condominiums. The Borough
228 Clerk explained they wanted to be good neighbors and block the roadway along Station
Parkway. The Governing Body felt the roadway in the Condominium Complex was too

229 narrow to allow for parking on the street. The parking will be suspended along Station
230 Parkway to allow for parking for the upcoming garage sales in the Condo complex.

231
232 Councilman Raucci reported that burglaries are up in the last three months. The Police
233 Department has this information on “Twitter”. There have been 13 burglaries in the last
234 three months. Several possible reasons for the increase are people are on vacation, the
235 mail is left in the mailbox and the newspapers are accumulating in the driveway.
236 Windows are also being left open. Mayor Heveran suggested notifying the Police
237 Department if you are going to be away, and stop the mail and papers.

238
239 Councilman Hawkins reported that there were no injuries at the pool this summer.

240 Councilman Hawkins commended the employees for a safe summer.

241

242 **COMMENTS FROM THE PUBLIC**

243 Fire Chief Ron Chace, 120 Leonia Avenue – Chief Chace spoke about the need to replace
244 two fire engines.

245

246 Deputy Chief Troy Wright, 419 Broad Avenue – Deputy Chief reported there are three
247 trucks up in age and the department is looking to do everything possible to keep costs
248 down.

249

250 Councilman Puzzo thanked the Chief for a solid plan in which the Council should look
251 into implementing. Chief Chace stated it takes 12 months to build a truck and have gone
252 up \$80,000 in two years.

253 Councilman Puzzo asked Mr. Terhune to have the CFO look at the leasing or bonding
254 impact for 2010 and 2011. Chief Chace remarked after this purchase, there will be no
255 need for a truck for sixteen years.

256

257 Brad Wildes, 157 Glenwood Avenue – Mr. Wildes inquired about what the Governing
258 Body needed to do about the “DEIS.” Mayor Heveran explained that at a meeting she
259 attended NJ Transit said they could what they want. Mayor Heveran said we need to
260 protect Leonia. Mr. Terhune explained that what is still on the table is the issue of
261 stations and parking. The public, as well as the Council, have the right to make
262 comments. Councilman Hawkins stated that most of the land is in the Over Peck Park.
263 Senator Weinberg and County Executive McNerney have stated that Leonia will have an
264 opportunity to comment and issues of concern.

265

266 Paul King, 152 Longview Avenue – The Borough of Leonia is phenomenal. Calling the
267 police when one is vacation is a great idea. The fire truck issue is one many residents
268 don’t understand. It is complicated issue; the educational process needs to socialize. Lake
269 View Park is a satellite park. The issue has been “fumbled.” The park should be fixed and
270 urged the group of dog owners to locate where it is more in harmony with the
271 environment. Mayor Heveran explained what is going to be done in the park. Off leash
272 hours will not be rescinded.

273

274 **CLOSED SESSION**

275 A motion was made by Councilman Hawkins seconded by Councilman Norgaard, to go
276 into Closed Session to discuss; litigation.

277

278 **ADJOURN**

279

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

282

283 As there was no further business before the Governing Body, the meeting was adjourned
284 at 9:24PM.

285

286 Respectfully submitted,

287

288

289

290 Fran Lehmann

291 Borough Clerk