

1 **Council Meeting/Work Session**
2 **Minutes**
3 **December 21, 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 7:37 pm.*

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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, Choi, Hawkins, Norgaard, Puzzo*
14 *(arrived at 7:54), Raspa-Gore, Raucci*

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16 **Council Absent:** *none*

17
18 **Also Present:** *Administrator Jack Terhune, Brian Giblin, Borough Attorney,*
19 *Fran Lehmann, Borough Clerk*

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21 **OPEN MEETING STATEMENT**

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

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26 **PUBLIC COMMENTS**

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28 Arthur Bergman 24 Meadowview Court – Mr. Bergman presented the Governing Body
29 with 300 signatures of residents who favor sharing the park with dogs off leash.

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31 **PRESENTATION**

32 Mayor Heveran, Councilwoman Raspa-Gore and Ms. Julie Marshal presented certificates
33 to the winners of the first Annual Holiday Showcase Contest. The winners were as
34 follows Andre’s Wine and Spirits, first Place and Toast of the Town, Luis Morales
35 accepted the plaque; second place Manor Beverage Mrs. Jackie Choi accepted the
36 certificate; third place Salon 324; tied for fourth place The Craft Lounge and Dante’s Mr.
37 Bergman accepted the certificate for Dante’s; fifth place Fontana de Trevi. Ms. Marshall
38 will deliver the certificates to those not in attendance.

39
40 Councilman Hawkins presented the “Sustainable New Jersey Award” to Mayor Mary
41 Heveran. Councilman Hawkins noted that Leonia was one of three municipalities in
42 Bergen County and one of 32 in the State to attain the certification.

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44 **APPROVAL OF MINUTES**

46 Minutes December 7, 2009 – Council President Choi made a motion to approve the
47 Minutes of December 7, seconded by Councilwoman Raspa-Gore. Roll Call;
48 Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci voted yes.
49 Councilman Puzzo was absent. Minutes approved.

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51 Closed Session Minutes December 7, 2009 – Councilman Raucci made a motion to
52 approve, seconded by Councilman Norgaard the Closed Session Minutes of December 7,
53 2009. Roll call vote: Councilpersons Choi, Hawkins, Norgaard, Raspa-Gore and Raucci
54 voted yes. Councilman Puzzo was absent Minutes approved.

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56 **RESOLUTIONS**

57 Resolution 09-230 – Council President Choi asked for an explanation. Mayor Heveran
58 asked the Borough Clerk to explain the resolution. The Borough Clerk explained this is a
59 grant that the Municipal Alcohol and Drug Alliance apply for every year. The funds are
60 used for programs in the schools. There is a 25% Borough match for the grant.

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62 Resolution 09-229 – Councilman Norgaard asked for an explanation. Mayor Heveran
63 deferred to Mr. Terhune. Mr. Terhune explained this Resolution accepts the resignation
64 of Sgt. Carlson. Mr. Terhune explained that under the agreement reached with Sgt.
65 Carlson he will be a Lieutenant until his retirement.

66
67 Councilman Norgaard, seconded by Councilman Raucci made a motion to approve
68 Resolutions 09-224 through 09-230. Roll Call vote Councilpersons Choi, Hawkins,
69 Norgaard, Raspa-Gore and Raucci voted yes. Councilman Puzzo was absent. Resolutions
70 approved.

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72 **REPORTS**

73 **Standing Committees**

74 Finance Administration & Personnel- Councilman Puzzo stated the
75 Committee did not meet. Councilman Puzzo asked Mr. Terhune to review
76 the fixed costs the Borough is facing going into this year’s budget for
77 those who were not at the last meeting. Mr. Terhune explained the fixed
78 costs.

79
80 Laws & Ordinances Councilwoman Raspa-Gore – no report.

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82 Police - Councilman Raucci – Councilman Raucci reported the
83 Commission is trying to address the budget without any layoffs. The new
84 twelve hours shifts will be implemented in June or July. There will be no
85 new hires with the retirements of Corporal Ponsi and Sgt. Carlson.

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87 Fire Department – Councilman Norgaard – There were 25 calls in
88 November. Councilman Norgaard gave the roster of the new officers as
89 follows Chief Troy Wright; Deputy Chief Bob Chace; Capt. Dave
90 Bohnert.

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Ambulance – Council President Choi reported there were 43 calls in September, 50 calls in October, 49 calls in November. There are currently 16 active members. There is one person in the current class and two applications are pending. There have been requests from residents of Palisades Park to join the Corps. Councilman Puzzo inquired if the numbers were down to Englewood Hospital responding. Council President Choi the numbers are down as a result.

Public Works – Councilman Hawkins –The DPW did a great job with the snow clean –up. Councilman Hawkins explained the reason for closing of Fort Lee Road in the early hours on Sunday during the storm. Councilman Puzzo questioned the repairs on Paulin Boulevard and Fort Lee Road. Mr. Terhune explained why some of the work was not completed. The repaving will be done in the spring. During the construction a storm drain was damaged that belongs to the Borough but not reported. It was found by the DPW when there were reports of problems in the area. Councilman Hawkins expressed concern about the trenches that are covered with metal plates under the snow.

Real Estate and Insurance – Councilman Puzzo – no report.

Borough Administrator – Mr. Terhune continue to prepare the 2010 Capital Ordinance for Capital projects.

Mayor – Mayor Heveran – Mayor Heveran reported the first Town Meeting was held on December 12th and Light Rail was the topic of discussion. The second meeting will be held on January 13th at 7:00pm in the Little Theater at the High School; the third meeting will be March 2nd at 7:00pm in the Little Theater at the High School; the fourth meeting will be on May 5th at 7:00pm at ACS.

Mayor Heveran reported she along with other members of the Governing Body, attended the tree lighting on December 4th. There appeared to be more children and families this year than have been in many years.

Mayor Heveran thanked Mr. Terhune and Ms. Hemmer for organizing the Borough Luncheon.

Mayor Heveran thanked Councilman Puzzo for his time on the Council and wished him and his family all the best.

Special Bodies – No reports.

Introduction of Ordinances

**Introduction of Ordinance 24-09 entitled:
AN ORDINANCE AMENDING CHAPTER 80 OF THE CODE OF THE
BOROUGH OF LEONIA ENTITLED ALCOHOLIC BEVERAGES**

Borough Clerk read the Ordinance by Title

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A MOTION was made by Councilman Hawkins seconded by Councilman Puzzo to approve on first reading Ordinance 24-09

ROLL CALL Council President, Choi abstained, Councilpersons Hawkins, Norgaard, Puzzo, Raspa-Gore and Raucci voted yes Ordinance 24-09 introduced.

Introduction of Ordinance 25-09 entitled:
AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF THE BOROUGH OF LEONIA TITLED “WEDDING AND CIVIL UNION CEREMONIES”.

Borough Clerk read the Ordinance by Title

A MOTION was made by Councilman Norgaard seconded by Council President Choi to approve on first reading Ordinance 25-09

ROLL CALL Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore, Raucci voted yes. Ordinance 25-09 introduced.

Introduction of Ordinance 26-09 entitled:
AN ORDINANCE AMENDING ORDINANCE 49-4 TITLED “TABLE OF ORGANIZATION” BY DELETING AND REPEALING ORDINANCE 49-4 AND REPLACING IT WITH A NEW ORDINANCE 49-4, “TABLE OF ORGANIZATION”.

Borough Clerk Read the Ordinance by Title

A MOTION was made by Councilman Raucci seconded by Councilman Puzzo to approve on first reading Ordinance 26-09

ROLL CALL Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore, Raucci voted yes. Ordinance 26-09 introduced.

Adoption of Ordinance

Adoption of Ordinance 21-09 entitled:
AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE BOROUGH OF LEONIA TITLED “CELL TOWERS AND ANTENNAS”.

Borough Clerk Read by Title

Public Hearing no one spoke

A MOTION was made by Councilman Hawkins seconded by Council President Choi to approve on final reading Ordinance 21-09

ROLL CALL Councilperson, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore and Raucci voted yes. Ordinance 21-09 adopted.

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Adoption of Ordinance 22-09 entitled:
**AN ORDINANCE AMENDING CHAPTER 190 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “PARKING, OFF-STREET”**

**Borough Clerk Read by Title
Public Hearing no one spoke.**

A MOTION was made by Councilman Hawkins seconded by Councilman
Raucci to approve on final reading Ordinance 22-09.

Councilman Puzzo stated he plans on voting for the Ordinance but asked the
Council to consider reviewing the Ordinance again and adding different
categories. Councilman Hawkins agreed with Councilman Puzzo.

ROLL CALL Councilperson, Hawkins, Puzzo, Raspa-Gore, Raucci voted yes.
Councilmen Choi and Norgaard abstained. Ordinance 22-09 adopted.

Adoption of Ordinance 23-09 entitled:
**AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “BOARDS, COMMITTEES AND
COMMISSIONS”**

**Borough Clerk Read by Title
Public Hearing no one spoke.**

A MOTION was made by Council President Choi seconded by Councilman
Hawkins to approve on final reading Ordinance 23-09.

ROLL CALL Councilpersons, Choi, Hawkins, Norgaard, Puzzo, Raspa-Gore
and Raucci voted yes. Ordinance 23-09 Adopted.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

- a) Shade Tree’s Proposed Ordinance Change – Mayor Heveran referred to a letter she received from the Shade Tree Commission Chairperson Jane Wilson. The Shade Tree Commission is proposing a change in the ordinance requiring any contractor who removes a tree because of construction has to replace that tree with a species and location selected by the Commission. Borough Attorney Giblin stated this could be done. Councilman Hawkins thanked Ms. Wilson for taking on a difficult subject at such a difficult time. Councilman Hawkins feels the amendment should be broader to include private residences. This will be placed on the agenda for discussion in January 2010.

CORRESPONDENCE

227 Buses and Through Traffic on Christie Street – Mayor Heveran referred to a letter she
228 received from a resident on Christie Street concerning school buses using the street to cut
229 through and garbage trucks using it as a cut through to avoid the lights on Fort Lee Road
230 and Grand Avenue. Mayor Heveran reviewed the Borough Code that was attached to the
231 letter. Mr. Terhune will speak to the Board of Education regarding the school buses, and
232 the Chief regarding the trucks.

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234 **COMMENTS FROM THE PUBLIC**

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236 Mr. Robert Pacicco – 530 Grandview Terrace – Mr. Pacicco wished Mr. Puzzo well in
237 his future endeavors.

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239 Councilman Hawkins reported that he had something he forgot to bring forward under
240 unfinished business. Councilman Hawkins reminded those present that there is a grant
241 that has to be utilized for solar panels on Borough facilities. The money has to be funded
242 up front before the Borough receives the funds back. The cost for placing the solar panels
243 on borough facilities is \$700,000. There will be a return to the Borough in savings and
244 money that is paid to the Borough for the sale of unused electricity. There is \$330,000 in
245 rebates available at present. Currently the out of pocket expenses would be \$370,000.
246 Since the Borough has sustainable designation there maybe funding available. The
247 Governing Body felt this was something that should be done. Mr. Terhune will consult
248 with Bond Counsel regarding debt. Mr. Terhune will prepare an RFP for engineering,
249 design and oversight.

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251 **CLOSED SESSION**

252 A motion was made by Councilman Norgaard, seconded by Councilman Hawkins, to go
253 into Closed Session to discuss; litigation, personnel, and police personnel.

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OPEN SESSION

256 Councilman Puzzo made a motion to go back into Open Session, seconded by
257 Councilman Norgaard. All in favor none opposed.

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259 Mayor Heveran read the recommendations to fill the unexpired Council term of Tony
260 Puzzo. Councilman Norgaard made a motion to appoint Ingrid Brennan to the unexpired
261 term, seconded by Councilman Hawkins all in favor none opposed. Motion carried.

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263 Resolution 09-231 - Councilman Raucci made a motion to amend the Resolution
264 previously adopted by the Governing Body to authorize \$2,500 for an appraisal of the
265 Yamato Property, seconded by Councilman Hawkins. Roll call vote all in favor none
266 opposed. Resolution 09-231 approved.

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268 The Governing Body agreed to give all non-union personnel a 3 1/2% increase effective
269 January 1, 2010.

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271 Resolution 09-232 – Councilman Norgaard made a motion to authorize the Borough
272 Administrator to do a background check on volunteers, seconded by Councilman
273 Hawkins. Roll Call vote all in favor none opposed. Resolution 09-232 approved.

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275 Councilman Raucci thanked Councilman Puzzo for his dedication to the Borough of
276 Leonia and thanked Councilwoman Raspa-Gore for her dedication to the Borough of
277 Leonia. Councilman Hawkins also thanked both Councilman Puzzo and Councilwoman
278 Raspa-Gore.

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281 **ADJOURN**

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

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286 As there was no further business before the Governing Body, the meeting was adjourned
287 at 9:52PM.

288

289 Respectfully submitted,

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292 Fran Lehmann

293 Borough Clerk