

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
July 6, 2011
7:30PM**

1. **FLAG SALUTE**
2. **ROLL CALL** Mayor Heveran (), Councilpersons, Raucci (), Choi (), De Simone (), Hawkins (), Knott (), Whitter (), Borough Attorney Giblin (), Borough Administrator Terhune (), Borough Clerk Lehmann ()
3. **OPEN MEETING STATEMENT**

Conditions of the Open Meeting Act have been met by notice placed on the bulletin board at Borough Hall and notice sent to the official newspaper.
4. **PRESENTATIONS**
5. **APPOINTMENTS**
6. **COMMENTS FROM THE PUBLIC**

Limited to two (2) minutes per speaker (20 – minute duration)
7. **APPROVAL OF MINUTES**

Council Minutes	June 20, 2011
Closed Session	June 20, 2011

RESOLUTIONS

11-146 Authorizing the Treasurer to Pay Claims against the 2010 Budget Reserves and the 2011 Municipal Budget
11-138 Authorizing Tax Appeal for Block 608, Lot 21 (June 20, 2011)
11-147 Amending Resolution 11-03 Bank Signatures
11-148 Authorizing Signature on the Leonia Municipal Court Accounts
11—149Appointing Jason Soesman to the Leonia Volunteer Fire Department
11-150Authorizing the Borough Administrator to Advertise for Bids for a Dump Truck and Tree Truck for the DPW
11-151Authorizing a Chapter 159 for Alcohol Education Fund
11-152 Authorizing an Increase in Hours and Salary for Robert Chace
11-153 Authorizing an Increase in Hours and Salary for David Haenelt
11-154 Authorizing the Appointment of Lifeguards for Leonia Swim Club
A motion was made by Councilperson _____, seconded by Councilperson _____ to approve the resolutions.

ROLL CALL Councilpersons Raucci, Choi, De Simone, Hawkins, Knott, Whitter

8. **INTRODUCTION OF ORDINANCES**

9. **ADOPTION OF ORDINANCES**

Adoption of Ordinance 09-11 entitled:

AN ORDINANCE TO AMEND CHAPTER 80 OF THE CODE OF THE BOROUGH OF LEONIA TITLED "ALCOHOLIC BEVERAGES"

Clerk Read by Title

Public Hearing

A motion was made by Councilperson _____ seconded by Councilperson _____ to adopt on final reading Ordinance 09-11

ROLL CALL Councilperson, Raucci (), Choi () De Simone (), Hawkins () Knott () Whitter

10. **UNFINISHED BUSINESS**

a) Use of the Ambulance Corps Building (Mayor Heveran)

b) Sale of Ambulance to Rochelle Park (Borough Administrator)

c) Clothing Bins for Sports Boosters (Borough Administrator)

11. **NEW BUSINESS**

12. **CORRESPONDENCE**

13. **COMMENTS FROM THE PUBLIC**

Limited to five (5) minutes per speaker at the discretion of the chair (duration of thirty (30) minutes)

14. **CLOSED SESSION**

Litigation/Personnel

15. **ADJOURNMENT** (10 P.M. unless motion to extend)

FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Rauci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11-146
DATE 2011
Carried
Defeated
Tabled
Approved

RESOLVED: that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2011 Temporary and/or Reserve Budget

N.J.Cash Mgt. Fund		22,456.91
Current Fund	0-01	53.78
Current Fund	1-01	2,497,228.26
Swim Fund	1-05	15,278.80
Capital	C-04	94,284.60
Unemployment Trust	T-16	5,846.67
Recreation Activities Trust	T-20	25,122.80
	Total	\$ 2,660,271.82

Claims Resolution 07/06/11

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

Aye Nay Abstain

Rauci
 Choi
 DeSimone
 Hawkins
 Knott
 Whitter

Resolution No. *11-138*

Dated:

By:
 Seconded by:

Whereas, Michael and Ann Liebman ("the taxpayers"), filed real property tax appeals for 2009 and 2010 for taxpayers real property located at 539 Ridgeland Terrace., Leonia Block 608, Lot 21; and

Whereas, the tax assessments for 2009 and 2010 are as follows;

	<u>2009</u>	<u>2010</u>
Land	\$ 354,500.00	\$ 354,500.00
Improvements	441,000.00	441,000.00
Abatement	<u>(13,300.00)</u>	<u>(13,300.00)</u>
Total	\$ 782,200.00	\$ 782,200.00

and

Whereas, effective year end 2010 the \$13,300 tax abatement shall expire resulting in a 2011 tax assessment as follows;

	<u>2011</u>
Land	\$ 354,500.00
Improvements	<u>441,000.00</u>
Total	\$ 795,500.00

and

Whereas, the 2009, 2010 and 2011 tax assessments may be settled as follows;

	<u>2009</u>	<u>2010</u>	<u>2011</u>
Land	withdrawn	\$ 354,500.00	\$ 354,000.00
Improvements	assessment	<u>380,500.00</u>	<u>380,500.00</u>
Total	unchanged	735,000.00	\$ 735,000.00

and

Whereas, said settlement will produce a loss in real property tax revenue lesser in amount than the costs of a successful defense of said appeal; and

Whereas, the Mayor and Council have been advised by the Borough Assessor and by contractual personnel that said settlement is in the Borough's interest;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF LEONIA that said settlement be and the same is hereby approved; and

BE IT FURTHER RESOLVED that all appropriate Borough officials or the contractual personnel be and are hereby authorized to take all steps necessary to effect said settlement; and

BE IT FURTHER RESOLVED that all actions taken by all appropriate Borough officials or contractual personnel in effecting said settlement be and they are hereby ratified and confirmed.

The within Resolution was duly adopted
by the Borough Council at their meeting
on _____, 2011

Fran Lehman
Municipal Clerk

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11-147
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS, Resolution 11-03 was approved on January 3, 2011 naming the signatures on all Borough Checks; and

WHEREAS, the Borough Auditor has recommended the following amendment to above noted resolution the following be, and are hereby authorized to sign all Borough of Leonia Accounts with the exception of the Municipal Court Accounts retroactive to January 1, 2011

Any 2 original Signature Check – 3 Total

Mary Heveran	Mayor
Jack Terhune	Borough Administrator
Myrna Becker	CFO
Frances Lehmann	Borough Clerk

2 Signatures (Payroll – 2)

Myrna Becker	CFO/Treasurer
Jack Terhune	Borough Administrator

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that Resolution 11-03, adopted on January 3, 2011, is hereby amended; and

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 148
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS , the Borough Auditor hereby recommends effective July 1, 2011 that all Municipal Court Accounts be signed by the following:

Judge John De Sheplo	Municipal Court Magistrate
Cherron Gil	Acting Court Administrator

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Leonia the above signatures on all Municipal Court Accounts are hereby authorized effective July 1, 2011; and

BE IT FURTHER RESOLVED, the CFO may make interfund transfers only if an emergency arises.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -149
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS, Jason Soesman had been a member of the Leonia Volunteer Fire Department and left and now Mr. Soesman has reapplied to join the Leonia Volunteer Fire Department; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Jason Soesman is hereby reappointed to the Leonia Fire Department.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Rauci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -150
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia’s Department of Public Works is in need of a new “tree truck” and dump truck; and

WHEREAS, the Mayor and Council of the Borough of Leonia hereby authorize the Borough Administrator to advertise for and accept bids for the “tree truck and dump truck for the Leonia Department of Public Woks.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council the Borough Administrator is hereby authorized to advertise and accepts bids for the above noted equipment.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -151
DATE 7/06/2011
Carried
Defeated
Tabled
Approved

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Leonia hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget of the year 2011 in the sum of \$485.41, which is now available as revenue from the Department of Community Affairs in the amount of \$485.41.

BE IT FURTHER RESOLVED, that a like sum of \$485.41 is hereby appropriated under the caption of:

ALCOHOL, EDUCATION, REHABILITATION ENFORCEMENT FUND

BE IT FURTHER RESOLVED, that the above is the result of funds from the Department of Community Affairs in the amount of \$485.41.

I, _____, Municipal Clerk of the Borough of Leonia in the County of Bergen in the State of New Jersey, do hereby certify that the forgoing in a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Leonia in the County of Bergen in the State of New Jersey.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -152
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Mayor and Council of the Borough of Leonia appointed Robert Chace to the position of Fire Inspector at the January 3, 2011 Mayor and Council re-organization meeting, at a salary of \$3,750.00 dollars per annum with a work schedule of four (4) hours average per week; and

WHEREAS, Borough Administrator Jack Terhune hereby recommends Robert Chace remains in the position of Fire Inspector for the remainder of the calendar year 2011 at an annual salary of \$7,500.00 dollars as specified in the Salary Ordinance, with an adjusted work schedule of eight (8) hours average per week; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of Leonia do hereby authorize and approve the salary increase of Fire Inspector Robert Chace to a salary of \$7,500.00 dollars with a work schedule of eight (8) hours average per week.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -153
DATE 7/6/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Mayor and Council of the Borough of Leonia appointed David Haenelt to the position of Fire Marshal at the January 3, 2011 Mayor and Council re-organization meeting, at a salary of \$7,499.00 dollars per annum with a work schedule of four (4) hours average per week; and

WHEREAS, Borough Administrator Jack Terhune hereby recommends Dave Haenelt remains in the position of Fire Marshal for the remainder of the calendar year 2011 at an annual salary of \$12,000.00 dollars as specified in the Salary Ordinance, with an adjusted work schedule of eight (8) hours average per week; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of Leonia do hereby authorize and approve a salary increase of Fire Marshal Dave Haenelt to \$12,000.00 dollars with a work schedule of eight (8) hours average per week.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
DeSimone						
Hawkins						
Raucci						
Whitter						
Choi						
Knott						
Heveran						

11-154

DATE: 7/6/2011

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

BE IT RESOLVED THAT THE Leonia Recreation Commission enters into contract to hire the following staff for the 2011 Swim Club Season funded by the Swim Club budget:

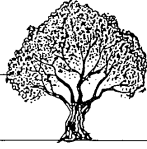
LIFEGUARDS

- Brady Hwang, 331 Broad Avenue, 2nd Floor, Leonia, NJ 07605, at a rate of \$8.00 per hour.
- Fitzroy Walsh, 149 Park Avenue, Leonia, NJ, 07605, at a rate of \$8.00 per hour.
- Quin Trachtenberg, 140 Lakeview Avenue, Leonia, NJ, 07605, at a rate of \$8.00 per hour.
- Miya Okado, 330 Fort Lee Road, Apt. B2, Leonia, NJ, 07605, at a rate of \$8.00 per hour.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia to approve the aforementioned employees and salaries.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2011

..... BOROUGH CLERK



Leonia Recreation Commission

370 Broad Ave., Leonia, NJ 07605
Tel. (201) 592-5783 • Fax (201) 592-8654
www.leonianj.gov

HILLARY KELBICK CHALKIN
COMMISSION CHAIRPERSON

BARBARA H. DAVIDSON
RECREATION SUPERINTENDENT

To : Mayor & Council

From: Leonia Recreation Commission

RE: Hiring of 2011 Swim Club Staff

Date: June 28, 2011

At the June 28, 2011 Recreation Commission Meeting, the Boro Resolution to hire 2011 Swim Club Staff was read and approved by the Commission.

Hillary Kelbick Chalkin, Chairperson

**BOROUGH OF LEONIA
ORDINANCE 09-11**

AN ORDINANCE TO AMEND Chapter 80 of the Code of the Borough of Leonia titled "Alcoholic beverages."

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia, County of Bergen and State of New Jersey as follows:

Section 1. Ordinance 80-3B of the Code of the Borough of Leonia is amended to read as follows:

§ 80-3 Applications; issuance; fees.

A. Laws applicable. All applications for licenses, all licenses issued and all proceedings under this article shall be in accordance with the act, rules and regulations referred to in § 80-1, and all other applicable laws of the State of New Jersey or the United States.

B. Issuing authority. All licenses required by this article shall be issued by the Mayor and Borough Council, which shall also administer the provisions of this article. Licenses shall be for one year commencing July 1 and expiring June 30.

C. License required. No person shall sell or distribute alcoholic beverages within the Borough without obtaining a license in accordance with the act referred to in § 80-1 and the provisions of this article.

D. License fees. The annual fee of licenses for the sale or distribution of alcoholic beverages in the Borough shall be as follows:

Class of License	Annual License	Number of Licenses
Plenary retail consumption license	\$1,200	1
Plenary retail distribution license	\$600	3 1 pocket license
Annual license \$100.00	\$100	1

Section 2. Ordinance 80-3.1 of the Code of the Borough of Leonia shall be amended by to change the title to read as follows:

Section 80-3.1 "General regulations applicable to plenary retail consumption licenses and plenary retail distribution

licenses; hours; off-premises consumption; sales to certain persons; closing of premises."

Section 3. Ordinance 80-3.3 shall be amended to read as follows:

Section 80-3.3 General regulations applicable to club licenses, hours; off-premises consumption; sales to certain persons; closing of premises."

A. Hours of sale. No alcoholic beverages shall be sold or served in any establishment holding a club license at any time other than the following permitted hours:

Tuesday - Thursday	6 p.m. to 11 p.m.
Friday	6 p.m. to 1 a.m.
Saturday	12 p.m. to 1 a.m.
Sunday	12 p.m. to 11 p.m.

The times set forth herein shall be Eastern Standard Time, except when Daylight Savings Time is in effect, when the time shall be Daylight Savings Time.

B. Sale of alcoholic beverages for consumption off the premises. No licensee holding a club license shall sell or deliver, or allow, permit, or suffer the sale or delivery of any alcoholic beverage for consumption off the licensed premises or allow, permit or suffer the removal of any alcoholic beverage from the licensed premises at any time.

C. No holder of a club license shall sell, serve or deliver, directly or indirectly, any alcoholic beverages to any intoxicated person or minor or permit the consumption of alcoholic beverages on any licensed premises by any of the above named classes of persons or permit any such persons to congregate in or about the licensed premises.

Section 4. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

Fran Lehmann,
Borough Clerk

Mary Heveran,
Mayor

Introduced:
Adopted:

, 2011
, 2011