

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
September 19, 2011
7:30pm**

1. **FLAG SALUTE**

2. **ROLL CALL** Mayor Heveran, Councilpersons Raucci, Choi, De Simone, Hawkins. Knott, Whitter. Brian Giblin, Borough Attorney, Jack Terhune, Borough Administrator, Fran Lehmann, Borough Clerk

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. **COMMENTS FROM THE PUBLIC**

Limited to two (2) minutes per speaker (20-minute duration)

5. **PRESENTATION**

6. **APPOINTMENTS**

7. **APPROVAL OF MINUTES**

Council Meeting Minutes September 7, 2011

Closed Session Minutes September 7, 2011

8. **RESOLUTIONS**

11-186 Authorizing the Treasurer to Pay Claims against the 2011 Municipal Budget

11-187 Authorizing the Methodist Church to hold a Flea Market

11-188 Establishing September 21 as the International Day of Peace

11-189 Authorizing DOT Grant for Oakdene Avenue

11-190 Authorizing Refund of Developers Escrow Accounts

11-191 Authorizing Tax Appeal Settlement for Block 503 Lot 2

A motion was made by Councilperson _____ seconded by Councilperson _____ to approve Resolutions

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

Standing Committees

Finance Administration & Personnel
Laws & Ordinances
Police
Fire
Ambulance
Public Works
Borough Administrator
Mayor
Special Bodies

10- INTRODUCTION OF ORDINANCE

11 ADOPTION OF ORDINANCE

12. UNFINISHED BUSINESS

- a) Beechwood Place Parking Lot (9/7/2011)
- b) Ambulances (Council President Raucci)

13 NEW BUSINESS

- a) Separation Agreement for Communications Officers (Councilman Hawkins)

14. COMMENTS FROM THE PUBLIC

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

15 CORRESPONDENCE

16 CLOSED SESSION (H)

17. ADJOURNMENT (10:00pm unless motion to extend)

FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN

BOROUGH OF LEONIA RESOLUTION

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

#11-186
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 Budget and/or Reserve Budget

Current Fund	0-01	35,459.64
Current Fund	1-01	4,686,857.55
Swim Pool Fund	1-05	75,863.83
Swim Pool Capital Fund	1-06	89,000.00
Capital Fund	C-04	530,385.54
Grant Fund	G-01	425.00
Dedicated Trust	T-03	4,790.77
Developers Escrow Trust	T-13	6,296.25
Unemployment Trust	T-16	1,986.60
Recreation Activities Trust	T-20	51,088.30
Recycling Trust	T-24	238.60
	Total	\$ 5,482,392.08

Claims Resolution 9/19/11

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 -187
DATE 9/19/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Methodist Church has requested to hold a Flea Market on October 8th from 9am-4pm; and

WHEREAS, the Mayor and Council of the Borough of Leonia hereby approves the request for a Flea Market to be held by the Methodist Church

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the request for a Flea Market to be held on October 8th by the Methodist Church is hereby approved.

**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
Raucei						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -188
DATE 9/19/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the United Nations established September 21st each year as the International Day of Peace (UN General Assembly 55/282); and

WHEREAS, the United Nations and its agencies such as UNICEF have arranged cease fires on the International Day of Peace, during which humanitarian organizations such as CARE and Doctors Without Borders are able to provide food, medicine and other aid to civilian populations affected by conflicts; and

WHEREAS, over 100,000 organizations and hundreds of millions of people worldwide observe this occasion to rededicate themselves to building peace; and

WHEREAS, we acknowledge that peace includes relief from poverty and despair and an end to repression and intolerance as well as an end to conflict.

MOW, THEREFORE, BE IT RESOLVED , THE Borough of Leonia renews its commitment to observe the International Day of Peace each September 21st as a day when Leonians will rededicate themselves to the age-old quest to build a safer, more just world.

**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						

#11-189
DATE 9/17/2011
Carried
Defeated
Tabled
Approved

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Oakdene Avenue Road Reconstruction Project

NOW, THEREFORE, BE IT RESOLVED, that the Council of Leonia formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Borough Administrator is hereby authorized to submit an electronic grant application identified as Leonia Borough 00154 to the New Jersey Department of Transportation on behalf of Leonia.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Fran Lehmann, Borough Clerk Mayor Mary Heveran

BE IT FURTHER RESOLVED, that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Leonia and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

BOROUGH OF LEONIA RESOLUTION

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

#11-190
DATE 09/19/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the developers attached did deposit funds under \$5,000 each into an interest bearing escrow account from 2009-2010, and

WHEREAS, while business with the Borough has concluded, balances still remain in each of these accounts, and

WHEREAS, the professionals responsible for billing against these accounts have indicated that there will not be further billing.

NOW, THEREFORE, BE IT RESOLVED, that the balances in each of the developer escrow accounts attached be refunded for a total amount of \$3, 977.50.

Rauci
Choi
DeSimone
Hawkins
Knott
Whitter

Aye Nay Abstain

Resolution No. 11-191

Dated:

By:
Seconded by:

Whereas, Leonia Associates, LLC filed real property tax appeals for the years 2009, 2010 and 2011; and

Whereas, the real property tax assessment for the subject premises, located at 2 Christie Heights, Leonia, New Jersey, Lot 2 in Block 503 on the Tax Assessment Map of the Borough of Leonia, for the years 2009, 2010 and 2011 was as follows:

	<u>2009 and 2010</u>		<u>2011</u>
Land	\$1,713,300.00	Land	\$1,713,300.00
Improvements	<u>9,670,700.00</u>	Improvements	<u>8,286,700.00</u>
Total	\$11,384,000.00	Total	\$10,000,000.00

and

Whereas, the 2009 and 2010 tax appeals may be settled by reduction of the aforesaid 2009 and 2010 assessments as follows:

	<u>2009</u>		<u>2010</u>
Land	\$ 1,713,300.00	Land	\$ 1,713,300.00
Improvements	<u>9,286,700.00</u>	Improvements	<u>8,286,700.00</u>
Total	\$11,000,000.00	Total	\$10,000,000.00

and

Whereas, the 2011 tax appeal may be settled by reduction of the aforesaid 2011 assessment as follows:

	<u>2011</u>
Land	\$ 1,713,300.00
Improvements	<u>7,786,700.00</u>
Total	\$ 9,500,000.00

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