

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
October 3, 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 (), Deputy
Borough Clerk Lynn Hemmer

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 September 19, 2011

8. **RESOLUTIONS**

11-193 Authorizing a Separation Agreement with the Communications Workers
11-194 Authorizing the Acceptance of Proposal for Contract Administration for
the ADA Improvements to the Ramp at the Borough Hall Annex.

11-195 Accepting the Proposal from Iacari Iovino for the Ambulance/Police
Building Renovations Study

11-196 Endorsing CDBG Grant for ADA Improvements to Recreation Center

A motion was made by Councilperson _____, seconded by
Councilperson _____ to approve the resolutions.

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

9. **INTRODUCTION OF ORDINANCES**

10. **ADOPTION OF ORDINANCES**

Adoption of Ordinance 12-11 entitled:
**AN ORDINANCE TO AMEND THE ARTICLE V OF THE CODE OF
THE BOROUGH ENTITLED "UNIFORM FIRE CODE"
BOROUGH CLERK READ BY TITLED
PUBLIC HEARING**

A motion was made by Councilperson _____, seconded by
Councilperson _____ to approve on final reading Ordinance
12-11

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

Adoption of Ordinance 13-11 entitled:
**AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED "PERSONNEL POLICIES" AND
SPECIFICALLY ORDINANCE 46-32 TITLED "WORKERS
COMPENSATION"
BOROUGH CLERK READ BY TITLED
PUBLIC HEARING**

A motion was made by Councilperson _____, seconded by
Councilperson _____ to approve on final reading Ordinance
13-11

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

Adoption of Ordinance 14-11 entitled:
**AN ORDINANCE TO AMEND CHAPTER 267 OF THE CODE OF
THE BOROUGH OF LEONIA TITLED "TOWING" BY ADDING A
NEW SECTION, TO BE DESIGNATED AS ORDINANCE 267-11G
BOROUGH CLERK READ BY TITLED
PUBLIC HEARING**

A motion was made by Councilperson _____, seconded by
Councilperson _____ to approve on final reading Ordinance
14-11

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

Adoption of Ordinance 15-11 entitled:
**AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODE OF
THE BOROUGH LEONIA TITLED "PARKS" BY ADDING A NEW**

**SECTION, TO BE DESIGNATED AS ORDINANCE 197-13, TITLED
“FEES AND POLICIES FOR THE USE OF LEONIA PARKS”**

**BOROUGH CLERK READ BY TITLED
PUBLIC HEARING**

A motion was made by Councilperson _____, seconded by
Councilperson _____ to approve on final reading Ordinance
15-11

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

11- **NEW BUSINESS**

- a) Electronic Distribution and Archiving of Searchable Documents Linked to
Webcasting (Councilman Knott)
- b) Resolution from Maywood (Mayor Heveran)

12. **UNFINISHED BUSINESS**

- a) Stand-by Duty (Council President Raucci)

13. **CORRESPONDENCE**

14. **COMMENTS FROM THE PUBLIC**

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

15. **CLOSED SESSION**

*Litigation – Borough Attorney’s Report on Harassment Charges (Council
President Raucci)
Sima Development Appeal*

16. **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 -193
DATE 10/03/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia has entered into a Shared Service Agreement with the County of Bergen for Dispatching all emergency calls within the Borough; and

WHEREAS, the Mayor and Council of the Borough of Leonia hereby offers a Separation Agreement to the former Dispatchers by offering Medical Coverage until the end of the year; and

WHEREAS, the funds for the Medical Benefits are currently in the 2011 Municipal Budget to cover said expenses and

WHEREAS, the CFO has certified that these funds are available

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the Medical Benefits for the former Dispatchers will be paid by the Borough of Leonia until the end of the year; and

BE IT FURTHER RESOLVED, that the Mayor and Council wish them well in their future endeavors.

**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 -194
DATE 10/3//2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia applied for and receive a CDBG Grant for the Senior Center ADA Ramp Reconstruction; and

WHEREAS, Birdsall Services has submitted a proposal for Engineering services in the amount of \$18, 255.00; and

WHEREAS, the CFO has certified that funds are available

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that they hereby accept the proposal from Birdsall Services and hereby authorizes the Borough Administrator to sign same.

**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 -195
DATE 10/3/2011
Carried
Defeated
Tabled
Approved

WHEREAS, Acari Iovino submitted a proposal for Police/Ambulance Building Renovation Study in the amount of \$4,000.00; and

WHEREAS, the CFO has certified that funds are available in the 2011 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia hereby accepts the proposal in the amount not to exceed \$4,000.00 and authorizing the Mayor to sign and the Clerk to attest the agreement between the Borough and Acari Iovino.

**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 -196
DATE 10/03/2011
Carried
Defeated
Tabled
Approved

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of \$104,350.00 Has been proposed by the Mayor and Council for ADA Improvements to the Leonia Recreation Center in the Borough of Leonia; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a Municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Leonia; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Governing body of the Borough of Leonia hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

BOROUGH CLERK

**BOROUGH OF LEONIA
ORDINANCE 12-11**

AN ORDINANCE TO AMEND the Article V of the Code of the Borough of Leonia titled "Uniform Fire Code."

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 136-22B titled "Required inspections and fees" shall be deleted in its entirety and replaced by the following:

USE GROUP	FEES
A1	\$100.00
B1	\$100.00
B2	\$200.00
B3	\$400.00
F1	\$200.00
F2	\$400.00
F3	\$600.00
M1	\$100.00
M2	\$125.00
M3	\$150.00
M4	\$175.00
M5	\$200.00
M6	\$225.00
R1	\$100.00
R2	\$125.00
R3	\$200.00
R4	\$250.00
R5	\$300.00
R6	\$350.00
R7	\$400.00*
S1	\$200.00
S2	\$400.00
S3	\$600.00

* \$10.00 PER EVERY UNIT OVER 50

Section 2. 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 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

BOROUGH OF LEONIA
ORDINANCE 13-11

AN ORDINANCE TO AMEND Chapter 46 of the Code of the Borough of Leonia titled "Personnel Policies" and specifically Ordinance 46-32 titled "Workers Compensation."

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 46-32 of the Code of the Borough of Leonia, titled "Workers Compensation" is hereby amended by repealing sections 46-32D and 46-32E in their entirety.

Section 2. 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 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

Fran Lehmann,
Borough Clerk

Mary Heveran,
Mayor

Introduced:

, 2011

Adopted:

, 2011

BOROUGH OF LEONIA
ORDINANCE 14-11

AN ORDINANCE TO AMEND Chapter 267 of the Code of the Borough of Leonia titled "Towing" by adding a new section, to be designated as Ordinance 267-11G.

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 267 of the Code of the Borough of Leonia, titled "Towing" is hereby amended by adding a new section, to be designated as Ordinance 267-11G as follows:

§ 267-11G.

In the event that the Leonia Police Department requires a vehicle to be impounded for possible evidentiary value, the licensed tow operator agrees that said tow shall be at no cost to the Borough of Leonia, provided that the vehicle is towed to a location within Bergen County.

Section 2. 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 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

Fran Lehmann,
Borough Clerk

Mary Heveran,
Mayor

Introduced:

, 2011

Adopted:

, 2011

BOROUGH OF LEONIA
ORDINANCE 15-11

AN ORDINANCE TO AMEND Chapter 197 of the Code of the Borough of Leonia titled "Parks" by adding a new section, to be designated as Ordinance 197-13, titled "Fees and Policies for the Use of Leonia Parks."

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 197 of the Code of the Borough of Leonia, titled "Parks" is hereby amended by adding a new section, to be designated as Ordinance 197-13, titled "Fees and Policies for the Use of Leonia Parks" as follows:

§ 197-13A - Fees and Policies for the Use of Leonia Parks
(except Sylvan Park)

The following is the policy of the Leonia Recreation Commission concerning the use of any Park in Leonia, other than Sylvan Park, by all groups or organizations that are not under the direct supervision of the Leonia Recreation Department.

1. Any group or organization wishing to use a park must be granted a permit from the Leonia Recreation Department prior to the event.
2. Any group or organization requesting the use of a Park will be required to pay the following fees prior to the event or activity:
 - A. Leonia resident fee \$100.00 for a three hour time limit.
 - B. Non resident fee \$200.00 for a three hour time limit.

The Leonia Recreation Commission and/or staff reserve the right to adjust aforementioned fees, as they deem appropriate: However, they may not increase fees according to those stated above.

3. This policy allows the waiving or reducing of above fees to any Leonia group recognized as a non-profit organization, if it is the desire of the Leonia Recreation Commission.

§ 197-13B. - Fees and Policies for the Use of Sylvan Park.

The following is the policy of the Leonia Recreation Commission concerning the use of Sylvan Park by all groups or organizations that are not under the direct supervision of the Leonia Recreation Department.

1. Any group or organization wishing to use Sylvan Park must be granted a permit from the Leonia Recreation Department prior to the event.
2. Any group requesting the use of Sylvan Park must provide a proper Certificate of Insurance and Hold Harmless Agreement
3. Any group or organization requesting the use of Sylvan Park will be required to pay the following fees prior to the event or activity:
 - A. September 1st through November 30th & March 1st through June 30th
\$1,792.00 per week OR \$256.00 per day, per field.
 - B. July 1st through August 31st & December 1st through February 28th (29th)
\$826.00 per week OR \$118.00 per day, per field.
4. The above rates apply to Leonia residents and their affiliates. Out of town groups or organizations will have additional fees applied, up to double of the above rates.
5. The Leonia Recreation Commission and/or staff reserve the right to adjust aforementioned fees, as they deem appropriate: However, they may not increase fees according to those stated above.
6. This policy allows the waiving (or reducing??) of above fees to any Leonia group recognized as a non-profit organization, if it is the desire of the Leonia Recreation Commission.
7. The use of the park lighting system will be used no earlier than 5:00 PM and must be turned off, on or before 10:00 PM.

Section 2. 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 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 4. 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