

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
October 17, 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. Lynn Hemmer, Deputy 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**
IQ2M IT Solutions for expediting minutes and agendas (Councilman Knott)
6. **APPOINTMENTS**
7. **APPROVAL OF MINUTES**

Council Meeting Minutes	October 17, 2011
Closed Session Minutes	October 17, 2011
8. **RESOLUTIONS**
 - 11-198 Authorizing the Treasurer to Pay Claims against the 2011 Municipal Budget
 - 11-199 Authorizing the Administration to Prepare and Advertise for Various Services
 - 11-200 Authorizing the Mayor to Sign and the Clerk to Attest the Agreement between the County and the Borough for ADA Improvements to the Borough Hall Annex
 - 11-201 Acknowledging and Thanking the Borough of Dumont for their Assistance after the Storm on September 29, 2011
 - 11-202 Accepting the resignation of Crossing Guard Carl Baker
 - 11-203 Authorizing Auction of Impound Vehicles
 - 11-204 Authorizing Club License to American Legion Post #1

11-205 Authorizing the Appointment of William Rupp, Esq. as Special Hearing Officer

11-206 Authorizing Cancellation of Capital Ordinance Balances

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

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

9. REPORTS

Standing Committees

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

10- INTRODUCTION OF ORDINANCE

Introduction of Ordinance 16-11 entitled:

**AN ORDINANCE AMENDING CHAPTER 66 TITLED
“VOLUNTEER SERVICES” TO ADD A NEW SECTION
REGARDING VOLUNTEER EMERGENCY STANDBY
GUIDELINES.**

A Motion was made by Council _____. Seconded by _____.
Council _____ approve on first Reading Ordinance 16-11

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

11 ADOPTION OF ORDINANCE

12. UNFINISHED BUSINESS

13 NEW BUSINESS

- a) Noise Complaints During County Run Festival in Overpeck Park (Mayor Heveran) (Councilman Choi)

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						
Kuoff						
Whitter						
Heveran						

#11-198
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	27,000.00
Current Fund	1-01	2,147,269.88
Swim Pool Fund	1-05	23,656.54
Capital Fund	C-04	6,010.19
Grant Fund	G-01	1,465.00
Dedicated Trust	T-03	1,649.41
Developers Escrow Trust	T-13	5,340.00
Recreation Activities Trust	T-20	3,053.10
Animal Trust	T-25	10.20
	Total	\$ 2,215,454.32

Claims Resolution 10/17/11

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 -199
DATE 10/17/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the contracts for the following have expired;
 Pest Control in Borough Buildings and the Pool
 Elevator Maintenance
 Cleaning of Borough Buildings
 Fire Alarm Systems in Borough Buildings
 HVAC Maintenance in Borough Buildings
 Fire Extinguisher and Fire Suppression Systems
 and

WHEREAS, the Mayor and Council of the Borough of Leonia hereby authorizes the Administration to prepare specifications and or RFP's and advertise for the above noted services

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the Administration is hereby authorized to prepare the necessary proposals for services noted above and advertise for same; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and Clerk to attest all the necessary contracts awarding such services.

**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						

#11-200
DATE 6/20/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia has received a Grant for ADA Improvements at the Borough Hall Annex; and

WHEREAS, the governing Body hereby accepts the Grant from Community Development and authorizes the Mayor to sign the agreement and the Borough Clerk to attest same between the Borough of Leonia and the County of Bergen for said improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia hereby accepts the Grant from the County of Bergen, Community Development Block Grant Fund and hereby authorizes the Mayor to sign and the Borough Clerk to attest 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
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -201
DATE 10/17/2011
Carried
Defeated
Tabled
Approved

WHEREAS, on Thursday September 29, 2011 a microburst storm devastated the Borough of Leonia; and

WHEREAS, there was significant damage to trees and homes; and

WHEREAS, many homes were without electric power and many streets and roadways were rendered impassable by felled trees and related debris; and

WHEREAS, the normal lives of many Leonians were significantly disrupted by this storm; and

NOW, THEREFORE, the Mayor and Council of the Borough of Leonia would like to commend the Dumont Department of Public Works for their professional and expeditious response to the needs of the Borough during the storm; and

FURTHERMORE, the Mayor and Council would like to personally thank the Dumont Department of Public Works. Without the assistance of the tree removal equipment that was used to dispose of debris from the roadways, Leonia would not have returned to near-normal conditions so quickly.

**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 -202
DATE 10/17/2011
Carried
Defeated
Tabled
Approved

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that they hereby accept the resignation of Crossing Guard Carl Baker.

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 -204
DATE 10/17/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Governing Body of the Borough of Leonia introduced and adopted Ordinance 09-11 authorizing one Club License in the Borough of Leonia; and

WHEREAS, the American Legion Post #1 has applied for said Club License; and

WHEREAS, a background check was done on Commander Richard Palka, Senior Vice Commander Edward (Tony) Kowidge, and Junior Vice Commander Major Dennis A. Castro and all came back with having no criminal record ; and

WHEREAS, according to rules and regulations regarding issuance of a new license an ad was placed in The Record newspaper which is circulated in the Borough and ran for two consecutive weeks.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that they hereby authorize a Club License be issued to the American Legion Post #1

**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 -205
DATE 10/17/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia is in need of a Special Hearing Officer for a personnel issue; and

WHEREAS, Mr. William F. Rupp, Esq. has submitted his qualifications to serve in this capacity; and

WHEREAS, Mr. Rupp has proposed an hourly rate of \$140.00 to serve in the capacity of Special Hearing Officer; and

WHEREAS, the CFO has certified that the funds are available in an amount not to exceed \$2,500

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that Mr. William F. Rupp 's proposal to serve as Special Hearing Officer is hereby accepted and 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
Raucci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 - 206
DATE 10-17-2011
Carried
Defeated
Tabled
Approved

WHEREAS, certain general capital improvement appropriation balances remain dedicated to projects now completed, and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled to Capital Surplus, Reserve for Payment of Debt, Deferred Charges Unfunded or Grants Receivable.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia, New Jersey, that the following unexpended appropriations and Grants Receivable balances in the total amount of \$233,966.23 be canceled as per below.

ORD #	ORD SECTION	ADOPTION DATE	PROJECT DESCRIPTION	AMOUNT	CANCEL TO
23-01	A	9/24/2001	Downtown Streetscape Impvts-Phase I	15,960.86	Grants Receivable
03-07	J	3/5/2007	Sylvan Park Amenities	1,597.25	Deferred Charges Unfunded
03-07	A	3/5/2007	Broad Avenue Impvts-Phase V	5,449.28	Deferred Charges Unfunded
03-07	H	3/5/2007	Fire House Improvements	556.26	Capital Surplus
12-07	A	7/2/2007	Woodland Place Improvement	26,783.29	Deferred Charges Unfunded
20-08	B	6/2/2008	Street Signs Purchase	154.50	Capital Surplus
07-09	A	4/20/2009	Hawthorne Terrace Road Improvement	10,124.93	Capital Surplus
07-09	A	4/20/2009	Broad Avenue Impvts-Phase VI	22,695.61	Deferred Charges Unfunded
07-09	A	4/20/2009	Broad Avenue Impvts-Phase VI	60,305.10	Capital Surplus
01-10	A	2/1/2010	Linden Terrace Improvements	8,352.07	Deferred Charges Unfunded
01-10	A	2/1/2010	Linden Terrace Improvements	40,188.04	Reserve for Payment of Debt
01-10	D	2/1/2010	Land Acquisition	37,500.00	Reserve for Payment of Debt
01-10	E	2/1/2010	Fire Department Pumper	1,104.54	Reserve for Payment of Debt
01-10	G	2/1/2010	Sylvan Park Improvements	3,194.50	Reserve for Payment of Debt
TOTAL				233,966.23	

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

BOROUGH CLERK

BOROUGH OF LEONIA
ORDINANCE 16-11

AN ORDINANCE AMENDING Chapter 66 titled "Volunteer Services" to add a new section regarding Volunteer Emergency Standby Guidelines.

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia as follows:

Section 1. The Code of the Borough of Leonia is hereby amended by adding a new section to be known as 66-18 as follows:

66-18 Volunteer Emergency Standby Guidelines

1. The Office of Emergency Management Coordinator is responsible for notifying the Mayor, Borough Administrator, Fire Department of circumstances which indicate a potential need for volunteer standby personnel. Said notification shall be made as soon as possible in order to provide the maximum time for response.
2. The Chief of the Fire Department shall request approval of all standby time from the Borough Administrator. Any request for standby time shall include both a specific start time as well as a specific end time if known. If the extent of the requested standby time is not known when the request is made, a request for the specific number of hours of standby time shall be requested. If any request pursuant to this ordinance is denied by the Administrator or the Administrator is not available, the Mayor shall have the authority to approve standby time.
3. Standby time must be approved by the Borough Administrator or Mayor as set forth in paragraph 2 above in order for it to be compensable by the Borough.
4. After taking action on any request for standby time, the Borough Administrator shall notify the Mayor, council liaison, and Volunteer Fire Department that if standby duty has been approved and the hours that have been approved. If the Mayor shall approve standby time, the Administrator, council liaison, and Volunteer Fire Department Chief shall be notified.
5. Unless otherwise determined by the Borough Administrator or Mayor, as set forth in paragraph 2 above, standby time approval shall normally include a total of six (6) firefighters.
6. Any increase in standby personnel must be approved in advance by the Borough Administrator or Mayor as set forth in paragraph 2 above.

7. In the event that that Borough Administrator or Mayor, as set forth in paragraph 2 above, approves standby time without a specific ending time, the Volunteer Fire Department Chief shall keep the Borough Administrator, Mayor and council liaisons informed of the conditions that created the need for standby time and will, as soon as possible, advise them of when standby time can be terminated.

8. Upon determining that standby time will no longer be necessary, the Borough Administrator or Mayor, as set forth in paragraph 2 above, shall notify the Volunteer Fire Department Chief of the specific time that standby service shall be terminated. The Borough Administrator shall also inform the Mayor and council liaisons of the termination of standby time.

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: 10/17/2011
Adopted:

, 2011