

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
November 21, 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**

6. **APPOINTMENTS**

7. **APPROVAL OF MINUTES**

Council Meeting Minutes	November 7, 2011
Closed Session Minutes	November 7, 2011

8. **RESOLUTIONS**

11-216 Authorizing the Treasurer to Pay Claims against the 2011 Municipal Budget

11-217 Urging the Legislators to Stop Funding the Wars in Iraq, Afghanistan and Pakistan

11-218 Authorizing the Increase in Hours for the Zoning Official

11- 219 Authorizing the Municipal Drug Alliance Grant

11-220 Thanking the Borough of Edgewater DPW for their Assistance

11-221 Authorizing Budget Transfers

11-222 Authorizing the Cancellation of Uncashed Checks

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

Introduction of Ordinance 17-11 entitled:

**AN ORDINANCE AMENDING CHAPTER 190 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “PARKING, OFF-STREET.”**

A Motion was made by Council _____, Seconded by ____
Council _____ approve on first Reading Ordinance 17-11

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

Introduction of Ordinance 18-11 entitled:

**AN ORDINANCE AMENDING CHAPTER 123 OF THE CODE OF
THE BOROUGH OF LEONIA TITLED “FEES.”**

A Motion was made by Council _____, Seconded by ____
Council _____ approve on first Reading Ordinance 18-11

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

11. **ADOPTION OF ORDINANCE**
12. **UNFINISHED BUSINESS**
 - a) Webcasting and Document Archiving with IQM2; Update (Councilman Knott)
 - b) Holiday Decorating Contest
 - c)
13. **NEW BUSINESS**
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- <i>216</i>
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	1-01	4,339,877.49
Swim Pool Fund	1-05	9,173.97
Swim Pool Capital	1-06	885.00
Capital Fund	C-04	198,986.00
Grant Fund	G-01	5,045.25
Dedicated Trust	T-03	17,330.40
Developers Escrow Trust	T-13	850.00
Police Off-Duty Trust	T-14	12,884.75
Recreation Activities Trust	T-20	36,481.58
Municipal Drug Alliance Trust	T-23	565.94
Recycling Trust	T-24	167.00
	Total	\$ 4,622,247.38

Claims Resolution 11/21/11

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
Rauci						
Choi						
De Simone						
Hawkins						
Knott						
Whitter						
Heveran						

#11 -217
DATE 11/21/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the current wars in Iraq, Afghanistan, and Pakistan have cost the U. S. taxpayers more that \$981 billion since 2001; and

WHEREAS, our state's financial crisis in large part due to current spending on endless wars in Iraq, Afghanistan and Pakistan. It is estimated that New Jersey alone has spent \$5.9 billion since 2001 (www.costofwar.com); and

WHEREAS, it is estimated that the cost of war is in excess of \$60million since 2001, causing essential services to be substantially reduced including the library hours, the hours of the Recreation Department and services of our D. P. W.; and

WHEREAS, the reduction in funds for our schools has resulted in laying off teachers who are vital to the education of our children, in reduced school equipment and has caused an increased tax burden for our citizens; and

WHEREAS, an excessive portion of available financial resources is being diverted from the constructive economy to warfare

NOW, THEREFORE, BE IT RESOLVED , the Mayor and Council of the Borough of Leonia urge our US Representative, Steve Rothman, and our two US Senators Robert Menendez and Frank Lautenberg, to oppose all legislation brought before the 111th US Congress that provides further funding of the US warfare and US military occupation of Iraq, Afghanistan and Pakistan.

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

BOROUGH CLERK

11/17/2011

4

BOROUGH OF LEONIA RESOLUTION

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

#11-218
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, the Mayor and Council of the Borough of Leonia desire to increase the number of hours devoted to the investigation of zoning violations and their enforcement; and

WHEREAS, the Mayor and Council have determined that the Zoning Officer's hours should be increased by six (6) hours per week; and

WHEREAS, the Mayor and Council desire to compensate the Zoning Officer for the additional six (6) hours per week at a rate of \$10,000.00 per year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the hours of the Zoning Officer shall be increased by six (6) hours per week; and

BE IT FURTHER RESOLVED that the Zoning Officer's salary shall be increased by the amount of \$10,000.00 per year, prorated for the remainder of 2011.

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

FRAN LEHMANN, BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

#11 -219
DATE 11/21/2011
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough Council of the Borough of Leonia, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Leonia, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize the submission of an application for the Municipal Alliance Grant for the calendar year 2012 in the amount of \$10,356.00 with a Municipal match of \$2,589.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance Grant including the administrative compliance and audit requirements

APPROVED:

Mary Heveran, Mayor

**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 -220
DATE 11/21//2011
Carried
Defeated
Tabled
Approved

WHEREAS, on Saturday, October 29, 2011, a snowstorm struck the tri-state area;
and

WHEREAS, there was significant damage to trees in the Borough; 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 most Leonians were significantly disrupted by this storm;

WHEREAS, the Mayor & Council of the Borough of Leonia would like to publicly thank and commend the Edgewater Department of Public Works for their professional and expeditious response to the needs of the Borough in the aftermath of this storm. Without hesitation, the men of the Edgewater Department of Public Works responded and assisted in the removal of trees from the roadways in the Borough that had been blocked by the debris. As a result of your efforts, the ability for Leonia to return to near-normal was greatly enhanced and

NOW, THEREFORE, the Mayor and Council would like to personally thank the men of the Edgewater Department of Public Works for a job well done!

**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						

#11-221
DATE 11/21/2011
Carried
Defeated
Tabled
Approved

WHEREAS, N.J.S.A.40A-58 allows for the transfer of any appropriation for the current calendar year, where there is an excess to an appropriation that is insufficient to pay claims authorized or incurred during the current year, and

WHEREAS, there exists in the 2011 budget appropriations that should be transferred in order to pay authorized claims or expenses incurred in 2011.

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made in accordance with N.J.S.A.40A:4-58.

<u>FROM</u>	<u>TO</u>
Health Benefits-OE 25,650.00	Police-OE 25,650.00
Health Benefits-OE 6,000.00	Engineering 6,000.00
31,650.00	31,650.00

**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						

#11-222
DATE 11/21/2011
Carried
Defeated
Tabled
Approved

WHEREAS, there are certain checks that remain outstanding in the Current and Payroll Trust funds, and

WHEREAS, the checks have been investigated, and it has been determined that they should be canceled.

NOW, THEREFORE, BE IT RESOLVED, that all outstanding checks be canceled to Miscellaneous Revenue Not Anticipated in a total amount of \$1,422.68.

<u>DESCRIPTION</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>
John J. Lorenzo-	2/10/11 44743	26.04
Brielle Klein-	4/21/11 44990	375.46
Marjan Moussavian-	5/19/11 45054	6.81
	6/02/11 45093	4.91
	6/16/11 45133	8.16
Bergen Newspaper Group	6/20/11 142093	562.03
Bergen Newspaper Group	8/01/11 142237	<u>439.27</u>
		1,422.68

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: 11/21/2011
Adopted:

, 2011

BOROUGH OF LEONIA
ORDINANCE 17-11

AN ORDINANCE AMENDING Chapter 190 of the Code of the Borough of Leonia titled "Parking, off-street."

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 amending §190-1, §190-4, adding a new §190-8 to be titled "Borough Hall annex parking area" and renumbering existing §190-8 through §190-11.

Ordinance 190-1 titled "Definitions" is hereby amended by adding the following definition:

BOROUGH HALL ANNEX AREA

Includes the area owned by the Borough of Leonia situated at the southeast corner of the intersection of Broad Avenue and Beechwood Place.

Section 2.

Ordinance 190-4 is amended to read as follows:

§190-1 - Definitions.

Includes the area owned by the Borough of Leonia situated at the southeast corner of the intersection of Broad Avenue and Beechwood Place.

Section 3.

A new Ordinance 190-8 shall be included to read as follows:

§190-4 - Parking time limited; exceptions.

A. With the exception of the Library Parking Area and the provisions of §190-6, §190-7, §190-8 and Subsection B below, it is unlawful for any person to cause, allow or permit any motor vehicle, other than a motor vehicle displaying a sticker or permit as provided and prescribed in § 190-8 of this article, to stand or be parked in any parking area or space for more than three hours on any day exclusive of Sunday. Within the "Library Parking Area," as defined in § 190-1 above, the foregoing three-hour restriction shall apply during library operating hours only, seven days per week.

Section 4.

§190-8 Borough Hall annex parking area.

A new section 190-8 shall be included to read as follows:

A. Parking shall be permitted in the Borough Hall annex parking area in designated spaces.

B. Between 12:01 a.m. and 6:00 a.m., there shall be no fee for parking in the Borough Hall annex parking area. Between 6:01 a.m. and 12:00 a.m., there shall be a parking charge of \$0.50 per hour with a maximum time limit of two (2) hours at a rate of \$1.00.

C. It shall be unlawful for any person to cause, allow or permit any motor vehicle to park other than completely in a designated space.

Section 5.

Existing ordinance 190-8 titled "Parking permits and stickers" shall be renumbered as Ordinance 190-9, Ordinance 190-9 titled "Vehicle weight limit" shall be renumbered as Ordinance 190-10, Ordinance 190-10 titled "Liability for loss, damage or injury" shall be renumbered as Ordinance 190-11 and Ordinance 190-11 titled "Violations and penalties" shall be renumbered as Ordinance 190-12.

Section 6. 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 7. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 8. 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 18-11

AN ORDINANCE AMENDING Chapter 123 of the Code of the Borough of Leonia titled "Fees."

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 amending Ordinances 123-23.1 titled "Swimming pools" to read as follows:

§123-23.1 - Swimming pools.

A. Pool membership fees.

(1) Pool membership fees are as follows:

Category	Discount Fee Period March 1 to April 30	Regular Session Fee After Fee April 30	Sponsored Nonresident (100 (maximum)
Senior individual	\$160	\$230	Not available
Senior couple	\$285	\$355	Not available
Individual	\$180	\$230	\$350
Two persons	\$305	\$355	\$475
Three persons	\$410	\$460	\$575
Four persons	\$490	\$540	\$650
Five or more persons	\$525	\$575	\$675
Caregiver's pass	\$90	\$170	\$200

NO REFUNDS WILL BE GIVEN AFTER MAY 26, 2012, Opening Day

(2) All those showing documentation as a member of the Leonia Emergency Personnel will receive a discount of 25% on the above categories.

B. Guest fees.

(1) Guest cards will now be sold at the Recreation Center for the following rates:

During the Discount Period	After the Discount Period
-------------------------------	------------------------------

Packet of 5	\$50	\$60
Packet of 10	\$100	\$120

If guest cards are not purchased, the cost of a Guest to come into the pool for the day; child and/or adult, will be \$15.00 per person, over 3 years old at the Pool Gate.

C. Swim lesson fees:

Type of Lesson	Fee
1/2 hour (Beginner, Advanced Beginner, Tots, Diving)	\$20
1 hour (Swimmer, Intermediate)	\$25
1 1/2 hour (Basic Water Rescue)	\$30
1/2 hour (Dive, Stroke and Turn)	\$30

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