

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
January 20, 2010
7:30pm**

1. FLAG SALUTE

- 2. ROLL CALL** Mayor Heveran (), Councilpersons Norgaard (), Brennan Choi (), Hawkins (), Knott (), Raucci (), Borough Attorney Brian Giblin (), Jack Terhune, Borough Administrator (), Borough Clerk, Fran 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. COMMENTS FROM THE PUBLIC

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

5. PRESENTATION

Mark Gordon – Light Rail

6. APPOINTMENTS

Resolution 10-81 Appointing John Stendor to the Capital Budget Committee
Resolution 10-82 Appointing Robert Chace and Stacey Schmidt as Deputy OEM Coordinators
Resolution 10-83 Appointing the Green Team

7. APPROVAL OF MINUTES

Council Meeting	December 21 2009
Closed Session	December 21, 2009
Reorganization	January 4, 2010

8. RESOLUTIONS

- 10-84 Authorizing Ratifying Resolution to Pay 2008 Claims against Appropriation Reserves and 2009 Budget
10-85 Authorizing Birdsall Engineering to Advertise for Bids for Sylvan Park
10-86 Appointing the Official Newspapers for 2010
10-87 Authorizing the Mayor to sign and the Borough Clerk to attest the Agreement between Rogut McCarthy, LLC and the Borough
10-88 Authorizing Off Premise 50/50 Raffle License for St. John's Church March 10, 2010
10-89 Authorizing Furloughs for Borough Employees

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

ROLL CALL Councilperson, Norgaard (), Brennan (), Choi () Hawkins () Knott () Raucci ()

9. REPORTS

Standing Committees

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

10- INTRODUCTION OF ORDINANCE

Introduction of Ordinance 01-10 entitled:
Bond Ordinance

A MOTION was made by Councilperson _____ seconded by Councilperson _____ to approve on final reading Ordinance 01-10

ROLL CALL Councilperson, Norgaard (), Brennan (), Choi () Hawkins (), Knott () Raucci ()

11 ADOPTION OF ORDINANCE

12. UNFINISHED BUSINESS

- a) Solar Panels (Councilman Hawkins)
- b) Liquor License Ordinance (Councilman Raucci, Councilwoman Brennan)
- c) Elm Place Lot Fees (Councilwoman Brennan)

13 NEW BUSINESS

- a) Resident /Non-Resident Parking and Visitor Pass (Mayor Heveran)
- b) Sign Ordinance (Mayor Heveran)
- c) Building Department Fees (Mayor Heveran)
- d) Borough Website (Jack Terhune)
- e) Appeal of 2010 Ratio (Jack Terhune)

14. **COMMENTS FROM THE PUBLIC**

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

15 **CLOSED SESSION (A)**

a) *Yamato/Texaco- Councilman Raucchi*

16. **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
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Rauci						
Heveran						

#10-84
DATE
Carried
Defeated
Tabled
Approved

RESOLVED, that the Mayor and Council hereby ratify the authorization of the Treasurer to pay the following claims and charge the 2010 Temporary Budget and/or 2009 Reserve Budget.

Borough of Leonia	Payroll 1/1/10
Borough of Leonia	Social Security 1/1/10
Borough of Leonia	Payroll) 1/15/10
Borough of Leonia	Social Security 1/15/10
Borough of Leonia Swim Pool	Payroll)1/1/10
Borough of Leonia Swim Pool	Social Security 1/1/10
Borough of Leonia Swim Pool	Payroll 1/15/10
Borough of Leonia Swim Pool	Social Security 1/15/10
Recreation Activities Trust	Payroll 1/1/10
Recreation Activities Trust	Payroll 1/15/10
Woodforest Natl Bank	Credit Cards- December Recreation Trust
Woodforest Natl Bank	Credit Cards- December Municipal Court
Dante's Place	Current Fund-Luncheon
TD Equipment Finance	Current Fund-January Police
Ford Motor Credit	Current Fund-January-Police
Ford Motor Credit	Current Fund-January-Police
CIT Technologies	Current Fund- Dec & Jan-Police
Canon Financial Services	Current Fund-Copier-January
Leonia Board of Education	Current Fund-January School Taxes
Leonia Board of Education	Current Fund January Debt Service
Bgn Cty Municipal Joint Fund	Current Fund- 1 st Q Installment
Bgn Cty Cooperative Library	Current Fund- Consortium Fee
CSX Transportation	Current Fund- Sewer Pipeline
T.J.Storff Landscaping Inc	Current Fund-Lawn Mowing
NJSHBP-Active Employees	Current Fund-January

NJSHBP-Retired Employees
UNUM Insurance-Long Term
UNUM Insurance-Short Term
Delta Dental Insurance
VFIS Benefits Division

Current Fund-January
Current Fund-January
Current Fund-January
Current Fund-January
Current Fund-January

2,764,541.05

Total

Ratifying Resolution 1/20/10

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Rauci						
Heveran						

#10-85
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, Resolution 09-221 dated December 7, 2009, accepted Birdsall Engineering’s proposal for Sylvan Park; and

WHEREAS, the Borough Engineer is hereby authorized to prepare the bid specifications and advertise for bids for Sylvan Park

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia New Jersey, that Birdsall Engineering is hereby authorized and directed to advertise for bids for Sylvan Park renovations

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

BOROUGH OF LEONIA

RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Raucci						
Heveran						

#10- 86
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, at the Reorganization Meeting of the Mayor and Council of the Borough of Leonia held on January 4, 2010, the Governing Body adopted Resolution setting the meeting dates and appointing the Record as the official newspaper; and

WHEREAS, The Record charges \$.95 per line for advertising and \$15.00 for an affidavit of publication; and

WHEREAS, The Sun Bulletin, effective February 1, 2010 will be charging \$.34 per line and \$7.00 for an affidavit of publication; and

WHEREAS, the official newspapers of the Borough of Leonia for publication of legal notices is hereby amended to read “the official newspapers of the Borough of Leonia are hereby The Record and The Sun Bulletin”

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that The Record and The Sun Bulletin for the year 2010; and

BE IT FURTHER RESOLVED, the Borough Clerk is hereby authorized to advertise the Resolution in the Official Newspaper.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

BOROUGH OF LEONIA

RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Rauci						
Heveran						

#10-87
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, Rogut McCarthy, LLC was appointed Bond Counsel at the Reorganization Meeting held on January 4, 2010 under Non-Fair and Open, Resolution 10-45; and

WHEREAS, Mayor Heveran is hereby authorized to sign and the Borough Clerk to attest the Agreement between Rogut McCarthy, LLC and the Borough of Leonia

NOW, THEREFORE, BE IT RESOLVED, Mayor Heveran is hereby authorized to sign the attached agreement and the Borough Clerk to attest same.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Rauci						
Heveran						

#10-88
DATE
Carried
Defeated
Tabled
Approved

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that Raffle License 10-01 for an off premise 505/50 for St. John Evangelical RC Church is hereby approved.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

Council	Motion	Second	Yes	No	Abstain	Absent
Norgaard						
Brennan						
Choi						
Hawkins						
Knott						
Rauci						
Heveran						

#10-89
DATE
Carried
Defeated
Tabled
Approved

WHEREAS; the Mayor and Council of the Borough of Leonia have been analyzing the budgetary restraints imposed by the State of New Jersey in connection with the 2010 budget; and

WHEREAS, it appears that, in order to create a balanced budget that meets the “caps” imposed by the State, the Borough will need to reduce the cost of its personnel to a small degree; and

WHEREAS, it is the desire of the Mayor and Council to create a balanced budget with minimal loss in service to the residents and taxpayers of the Borough of Leonia.

NOW THEREFORE, BE IT RESOLVED that the Borough Administrator be and is hereby authorized to negotiate temporary furloughs with Borough employees in order to avoid layoff; and

BE IT FURTHER RESOLVED, that in the event that the Borough Administrator is unable to negotiate sufficient furloughs to meet the budgetary constraints, he is hereby empowered to create and implement a layoff plan which will have the least impact on the Borough, its residents and taxpayers.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2010**

BOROUGH CLERK

Borough of Leonia

Bond Ordinance 10-01

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,736,760 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS AND A PRIVATE CONTRIBUTION, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Leonia, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire a new fire engine, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the various grants, the private contribution and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the various grants or private contribution hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Improvement of the following roads (including drainage improvements): (i) Linden Terrace (from Fort Lee Road to Woodland Place) and (ii) Glenwood Avenue (south of Fort Lee Road). Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to the roads listed in the preceding sentence. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$610,010
Federal Grant Appropriated	\$100,000
State Grant Appropriated	\$200,000
Down Payment Appropriated	\$ 14,765
Bonds and Notes Authorized	\$295,245
Period of Usefulness	10 years

B. Undertaking of sewer system filming/repair at various locations.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,385
Bonds and Notes Authorized	\$ 47,615
Period of Usefulness	40 years

C. Installation of solar energy panels and related electrical system and building improvements at the Department of Public Works Garage and other Borough buildings

Appropriation and Estimated Cost	\$575,000
State Grant Appropriated	\$330,000
Down Payment Appropriated	\$ 11,670
Bonds and Notes Authorized	\$233,330
Period of Usefulness	25 years

D. Acquisition of real property for use as a municipal parking lot. Said property to be acquired has a street address of 381 Broad Avenue and is designated as Block 1002, Lot 1 on the Tax Map of the Borough.

Appropriation and Estimated Cost	\$460,000
Down Payment Appropriated	\$ 21,910
Bonds and Notes Authorized	\$438,090
Period of Usefulness	40 years

E. Acquisition of a new pumper fire engine, including original apparatus and equipment.

Appropriation and Estimated Cost	\$451,000
Down Payment Appropriated	\$ 21,480
Bonds and Notes Authorized	\$429,520
Period of Usefulness	10 years

F. Rehabilitation of Wood Park (Phase II).

Appropriation and Estimated Cost	\$455,100
County Grants Appropriated	\$205,000
State Grant Appropriated	\$195,000
Down Payment Appropriated	\$ 2,630
Bonds and Notes Authorized	\$ 52,470
Period of Usefulness	15 years

G. Renovation of Sylvan Park.

Appropriation and Estimated Cost	\$135,650
County Grant Appropriated	\$ 57,925
Private Contribution Appropriated	\$ 57,925
Down Payment Appropriated	\$ 945
Bonds and Notes Authorized	\$ 18,855
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$2,736,760
Aggregate Grants and Private Contribution Appropriated	\$1,145,850
Aggregate Down Payment Appropriated	\$ 75,785
Aggregate Amount of Bonds and Notes Authorized	\$1,515,125

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$275,249 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal

expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$100,000 received or to be received as a grant from the Bergen County Community Development Program, pursuant to the Federal Housing and Community Development Act, is hereby appropriated to the payment of the cost of the improvement of Linden Terrace authorized in Section 4.A hereof.

Section 7. The sum of \$200,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Glenwood Avenue authorized in Section 4.A hereof.

Section 8. The sum of \$330,000 received or to be received as a grant from the State of New Jersey Customer Onsite Renewable Energy Program is hereby appropriated to the payment of the cost of the solar energy improvements authorized in Section 4.C hereof.

Section 9. The sum of \$195,000 received or to be received as a grant from the State of New Jersey Department of Environmental Protection Green Acres Program is hereby appropriated to the payment of the cost of the improvement of Wood Park authorized in Section 4.F hereof.

Section 10. The sum of \$205,000 received or to be received as grants from the County of Bergen Open Space, Recreation, Farmland and Historic Preservation Trust Fund (the “County Open Space Fund”) is hereby appropriated to the payment of the cost of the improvement of Wood Park authorized in Section 4.F hereof.

Section 11. The sum of \$57,925 received or to be received as a grant from the County Open Space Fund is hereby appropriated to the payment of the cost of the improvement of Sylvan Park authorized in Section 4.G above.

Section 12. The sum of \$57,925 received or to be received as a private contribution from Leonia Sports Boosters, Inc. (“Sports Boosters”) is hereby appropriated to the payment of the cost of the improvement of Sylvan Park authorized in Section 4.G above.

Section 13. It is hereby determined and stated that moneys exceeding \$75,785, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$75,785 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 14. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,515,125 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 15. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,515,125 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal

amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 16. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 17. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 22.16 years computed from the date of said bonds.

Section 18. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross

debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,515,125 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 19. Any private contributions, any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the Sports Boosters contribution and the various grants hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 20. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 21. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property

within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 22. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 23. This ordinance shall take effect twenty days after the first publication thereof after final passage.