

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
February 1, 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. APPOINTMENTS

Recreation Commission

6. Presentation

Prime MSP (Website)

Proclamation – National Wear Red Day for Women

7. Approval of Minutes

Council Meeting Minutes

January 21, 2010

Closed Session Minutes

January 21, 2010

8. RESOLUTIONS

10-93- Authorizing Ratifying Resolution to Pay 2009 Claims against
Appropriation Reserves and 2010 Temporary Budget

10-94 Authorizing the Treasurer to Pay Claims against the 2009 Budget
Reserves and the 2010 Municipal Budget

10-95 Authorizing the Borough Administrator to sign the Agreement Between
Omnipoint and the Borough of Leonia for \$30,000.00

10-96 Authorizing the Mayor to sign and the Borough Clerk to Attest the
Agreement between Chief Ziegler and the Borough

10-97 Approving and Signing the Agreement with PrimeMRM for the Website

10-98 Authorizing Temporary Budget Current Account

10-99 Authorizing Temporary Budget for Swim Pool Utility
10-100 Authorizing Budget Transfers

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

ROLL CALL Councilperson, Hawkins (), Choi () Norgaard (),
Puzzo (), Raspa-Gore () Raucci ()

9 **INTRODUCTION OF ORDINANCE**

10. **ADOPTION OF ORDINANCE**

Adoption of Ordinance 01-10 entitled:

**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.**

Public Hearing

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. **UNFINISHED BUSINESS**

- a) Shade Tree Ordinance
- b) Sign Ordinance (1/20/2020)
- c) NJ Transit and Light Rail (Councilwoman Brennan)
- d) Tax Ratio Appeal (Brian Giblin/Jack Terhune)

12. **NEW BUSINESS**

- a) Website Advisory Committee (Mayor Heveran)
- b) Farmers Market (Mayor Heveran)

13. **CORRESPONDENCE**

14. **COMMENTS FROM THE PUBLIC**

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

15 CLOSED SESSION (B)

Litigation Yamato/Texaco

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						

#10-94
DATE 02/01/2010
Carried
Defeated
Tabled
Approved

RESOLVED: that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2009 Appropriation Reserve and/or 2010 Temporary Budget,

2010

Current 2010	0-01	
Current 2009	9-01	104,565.85
Swim Pool 2010	0-05	
Swim Pool 2009	9-05	10,125.12
Capital	C-04	19,920.00
Grant Fund Appropriated	G-01	6,347.32
Trust Dedicated	T-03	12,759.82
Unemployment Compensation	T-16	
Recreation Activities	T-20	7,434.42
Municipal Drug Alliance	T-23	20.34
Recycling Trust	T-24	
Animal control	T-25	37.80
	<u>TOTAL</u>	<u>\$ 167,228.17</u>

Claims Resolution 02/01/2010

**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- 95
DATE 2/1/2010
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia entered into a leased agreement with T-Mobile Northeast, LLC as successor in interest to Omnipoint Communications, Inc. regarding property located at 1 Borough Place, Leonia; and

WHEREAS, T-Mobile Northeast, LLC sought and received approval from the Borough and its agencies to install a new communication facility; and

WHEREAS, the original design of the facility included the installation of a roof above the tower as set forth in the plans submitted to the Borough; and

WHEREAS, the Borough and T-Mobile Northeast, LLC desire to modify the specifications for the communication facility by removing the requirement for the installation of a roof; and

WHEREAS, T-Mobile Northeast, LLC shall pay to the Borough a sum of \$30,000 as a one time payment in exchange for this amendment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the administrator has authorized to enter into the “Third Amendment to N.J. Lease Agreement” attached hereto on behalf of the Borough of Leonia.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 2/1/2010**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

#10- 97
DATE 2/1/2010
Carried
Defeated
Tabled
Approved

WHEREAS, PrimeMSP has submitted the attached proposal for the hosting and maintenance of the Borough of Leonia Website; and

WHEREAS, the CFO has certified that funds are available; and

WHEREAS, the Borough Administrator is hereby authorized and directed to sign said agreement between the Borough and Prime MSP

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that the Borough Administrator is hereby authorized to sign said agreement with PrimeMSP for the hosting and maintenance of the Borough of Leonia Website.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 2/1/2010**

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

#10-98
DATE 02/01/2010
Carried
Defeated
Tabled
Approved

That the following Temporary Appropriations for the year 2010 pending adoption of the 2010 Budget in accordance with N.J.S.A. 40A:4-20 of the Local Budget Act., be and they are hereby approved.

GENERAL GOVERNMENT

OFFICE OF ADMINISTRATOR

Salaries & Wages
Other Expenses

ADMINISTRATIVE AND EXECUTIVE

Salaries & Wages
Other Expenses

CODIFICATION OF ORDINANCES

Other Expenses

POSTAGE

Other Expenses

COPIER OPERATIONS

Other Expenses

BOROUGH CLERK-ELECTIONS

Salaries & Wages
Other Expenses

FINANCIAL ADMINISTRATION

Other Expenses

COMPUTER DATA PROCESSING

Other Expenses

FINANCE/TAX COLLECTION

Salaries & Wages
Other Expenses

ASSESSMENT OF TAXES

Salaries & Wages
Other Expenses

Subtotal

Subtotal Carried Forward

<u>LEGAL SERVICES</u>	
Salaries & Wages	
Other Expenses	9,000.00
<u>ENGINEERING SERVICES</u>	
Other Expenses	
<u>HISTORICAL COMMISSION</u>	
Other Expenses	
<u>LAND USE ADMINISTRATION</u>	
<u>PLANNING BOARD</u>	
Salaries & Wages	
Other Expenses	
<u>BOARD OF ADJUSTMENT</u>	
Salaries & Wages	
Other Expenses	
<u>PUBLIC SAFETY</u>	
<u>POLICE DEPARTMENT</u>	
Salaries & Wages	
Other Expenses	
<u>POLICE VEHICLE LEASE/ PURCHASE</u>	
Other Expenses	
<u>EMERGENCY MANAGEMENT</u>	
Other Expenses	
<u>FIRST AID ORGANIZATION</u>	
Other Expenses	
<u>DAYTIME AMBULANCE COVERAGE</u>	
Salaries & Wages	
<u>FIRE DEPARTMENT</u>	
Other Expenses	
<u>LOSAP</u>	
Other Expenses	
<u>FIRE MARSHAL</u>	
Salaries & Wages	
Other Expenses	
<u>UNIFORM FIRE SAFETY ACT</u>	
Salaries & Wages	
<u>MUNICIPAL PROSECUTOR</u>	
Salaries & Wages	
<u>PUBLIC WORKS FUNCTIONS</u>	
<u>DEPARTMENT OF PUBLIC WORKS</u>	
Salaries & Wages	
Other Expenses	
<u>ROAD REPAIRS</u>	
Other Expenses	

SHADE TREE FUNCTIONS

Other Expenses

INSURANCE PREMIUMS

Other Expenses

MAINTENANCE OF RADIOS

Other Expenses

Subtotal

9,000.00

Subtotal Carried Forward

9,000.00

GARBAGE & TRASH REMOVAL

Tipping Fees-BCUA

RECYCLING

Salaries & Wages

Other Expenses

PUBLIC BUILDINGS & GROUNDS

Salaries & Wages

Other Expenses

HEALTH AND WELFARE

BOARD OF HEALTH

Salaries & Wages

Other Expenses

PUBLIC ASSISTANCE

Salaries & Wages

Other Expenses

HUMAN RELATIONS

Other Expenses

PARKS & RECREATION

BRD OF RECREATION COMMISSIONERS

Salaries & Wages

Other Expenses

SENIOR CITIZENS ACTIVITIES

Salaries & Wages

Other Expenses

SENIOR BUS

Salaries & Wages

Other Expenses

CODE ENFORCEMENT & ADMIN.

UNIFORM CONSTRUCTION CODE

Salaries & Wages

Other Expenses

FIRE SUB-CODE OFFICIAL

Salaries & Wages

Other Expenses

ELECTRICAL SUB-CODE OFFICIAL

Salaries & Wages

Other Expenses

RENT LEVELING

Other Expenses

UNCLASSIFIED

UNCLASSIFIED SALARIES

Salaries & Wages

GRANTS CONSULTANT

Salaries & Wages

Other Expenses

ELECTRICITY & GAS

Other Expenses

STREET LIGHTING

Other Expenses

FIRE HYDRANT SERVICES

Other Expenses

Subtotal

Subtotal Carried Forward

TELEPHONE/CELLULAR SERVICES

Other Expenses

WATER

Other Expenses

DIESEL FUEL

Other Expenses

GASOLINE

Other Expenses

STATUTORY EXPENDITURES

POLICE/FIRE RETIREMENT SYSTEM

Other Expenses

488,988

SOCIAL SECURITY SYSTEM

Other Expenses

50,000

PUBLIC EMPLOYEE RETIREMENT SYSTEM

Other Expenses

242,519

MUNICIPAL COURT

Salaries & Wages

Other Expenses

PUBLIC DEFENDER

Salaries & Wages

Other Expenses

OPERATIONS EXCLUDED FROM CAP

FREE PUBLIC LIBRARY

Salaries & Wages

Other Expenses

BCUA SHARE OF COSTS

Other Expenses

RIGHT TO KNOW-PEOSHA (CH 516,P.L.1983)

Other Expenses

HEPATITIS B VACCINE & TRAINING

Other Expenses

CRL CONTRACT

Other Expenses

BOARD OF EDUCATION-INTERLOCAL AGREEMENT-DIESEL/GAS

Other Expenses

STATUTORY EXPENDITURES EXCLUDED FROM CAP

POLICE/FIREMENS' RETIREMENT SYSTEM

Other Expenses

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Other Expenses

POLICE FACILITIES STUDY

Other Expenses

PUBLIC/PRIVATE PROGRAMS OFFSET BY REVENUES

MUNICIPAL ALLIANCE ON ALCOHOLISM AND DRUG ABUSE

State Share

Local Share

MID-BERGEN REGIONAL HEALTH COMMISSION

Salaries & Wages

520.00

OVER THE LIMIT UNDER ARREST DRIVING CRACKDOWN

Salaries & Wages

5,820.00

Subtotal

790,507

Subtotal Carried Forward

790,507

RESERVE RECYCLING TONNAGE GRANT

14,299.07

Salaries & Wages

Other Expenses

CLEAN COMMUNITIES PROGRAM

Salaries & Wages

Other Expenses

I

Salaries & Wages

Other Expenses

DOWNPAYMENT ON IMPROVEMENTS

CAPITAL IMPROVEMENT FUND

MUNICIPAL DEBT SERVICE

Payment of Bond Principal

Paydown of BAN Principal

Interest on Bonds

Interest on Notes

Tax Anticipation Notes-Interest

NJEIT LOAN-SPRING STREET SEWER

Principal

Interest

NJEIT LOAN-SALT DOME CONSTRUCTION

Principal

Interest

DEFERRED CHARGES EXCLUDED FROM "CAPS"

Emergency Authorization

Special Emergency Authorizations-5 Years

Special Emergency Authorizations-3 Years

Deferred Charges to Future Taxation

Judgements

Prior Years Bills

Subtotal All Appropriations **804,806.07**

Less Municipal Debt service
Less Deferred Charges
Les Capital Improvement Fund

Total 2010 Temporary Budget **804,806.07**
#2

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 02/01/ 2010**

BOROUGH OF LEONIA RESOLUTION

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

#10-99
DATE 02/01/2010
Carried
Defeated
Tabled
Approved

RESOLVED, that the following Temporary Appropriation for the year 2010 pending adoption of the 2010 budget in accordance with Section 40A:4-20 of the Local Budget Act, be and they are hereby approved.

TEMPORARY BUDGET-SWIM POOL UTILITY OPERATING

Salary & Wages	
Other Expenses	
Debt Service	14,000
Social Security System (O.A.S.I.)	5,000
Capital Outlay	
TOTAL	19,000

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 02/01/2010**

BOROUGH OF LEONIA

RESOLUTION

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

#10-100
DATE 02/01/2010
Carried
Defeated
Tabled
Approved

WHEREAS, N.J.S.A.40A:4-59 provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of the succeeding year to meet specific claims incurred during the preceding fiscal year, and

WHEREAS, various bills presented for payment this year are not covered by the transfers made in the last two months of preceding year-2009.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Leonia that the transfers in the amount of \$27,105.00 be made between the 2009 Budget Appropriation Reserves as follows:

FROM

TO

Tipping Fees-Other Expenses 1,800	Dept of Public Works-Other Expenses 1,800
Tipping Fees-Other Expenses 2,500	Dept of Public Works-Other Expenses 2,500
Tax Collection-Other Expenses 1,800	Dept of Public Works-Other Expenses 1,800
Ambulance Corps-Other Expenses <u>3,700</u>	Dept of Public Works-Other Expenses <u>3,700</u>
9,800	9,800
UCC Official-Other Expenses 260	OEM-Other expenses 260
Administrative/Executive-Other Expenses 300	Engineering Services-Other Expenses 300

Planning Board-Other Expenses	<u>2,000</u>	Engineering Services-Other Expenses	<u>2,000</u>
	2,300		2,300
Administration-Other Expenses	900	Electric & Gas-Other Expense	900
UCC Official-Other Expenses	545	Electric & Gas-Other Expenses	545
Municipal Court-Other Expenses	1,000	Electric & Gas-Other Expenses	1,000
Bd. of Adjustment-Other Expenses	1,000	Electric & Gas-Other Expenses	1,000
Admin & Executive-Other Expenses	1,000	Electric & Gas-Other Expenses	1,000
Ambulance Corps-Other Expenses	5,300	Electric & Gas-Other Expenses	5,300
Legal Services-Other Expenses	5,000	Electric & Gas-Other Expenses	5,000
	14,745		14,745
		TOTAL	27,105

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 02/01/ 2010**

BOROUGH CLERK

BOROUGH CLERK