

**MAYOR AND COUNCIL  
WORK SESSION/REGULAR MEETING  
BOROUGH HALL ANNEX  
APRIL 5, 2010  
7:30PM**

1. **FLAG SALUTE**

2. **ROLL CALL** Mayor Heveran ( ), Councilpersons, Norgaard ( ), Brennan ( ), Choi ( ), Hawkins ( ), Knott ( ), Raucci ( ), Borough Attorney Giblin ( ), Borough Administrator Terhune ( ), 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**

Resolution 10-140 Appointing Barbara Genese to Mayor’s Website Advisory Committee

Resolution 10-141 Appointing Doug Salmon to Mayor’s Website advisory Committee

6. **PRESENTATIONS**

7. **APPROVAL OF MINUTES**

February 17, 2010                      Council Meeting

March 1, 2010                              Council Meeting

March 1, 2010                      –              Closed Session

March 15, 2010                              Council Meeting

March 15, 2010                              Closed Session

8. **RESOLUTIONS**

10– 130    Authorizing a refund of a Tax Court Judgment (3/15/2010)

10-134    Authorizing Ratifying Resolution to Pay 2009 Claims against Appropriation Reserves and 2010 Budget

- 10-135 Authorizing the Treasurer to Pay Claims against the 2009 Budget Reserves and the 2100 Municipal Budget
  - 10-136 Opposing United Water Rate Increase
  - 10-137 Authorizing the use of the Library Parking Lot for Arbor/Earth Day
  - 10-138 Approving the request for a Memorial Day Parade Permit
  - 10-139 Authorizing the Appointment of the 2010 Swim Pool Staff
  - 10-140 Appointing Barbara Genese to Mayor's Website Advisory Committee
  - 10-141 Appointing Doug Salmon to Mayor's Website Advisory Committee
  - 10-142 Authorizing an RFP for Block 1501, lot 26 and Authorizing the Advertisement for Sealed Bids
  - 10-143 Authorizing the issuance of Bond Anticipation Note
- A motion was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to approve the resolutions.

**ROLL CALL** Councilpersons Norgaard ( ), Brennan ( ), Choi ( ), Hawkins ( ), Knott ( ), Raucci ( )

9. **INTRODUCTION OF ORDINANCES**

Introduction of Ordinance 04-10 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF LEONIA BY CHANGING EXISTING SECTIONS 232-3 F(1)**

**A motion** was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to adopt on first reading Ordinance 04-10

**Roll call** Councilpersons Norgaard ( ), Brennan ( ), Choi ( ), Hawkins ( ), Knott ( ), Raucci ( )

10. **ADOPTION OF ORDINANCES**

Adoption of Ordinance 02-10 entitled

**MUNICIPAL BUDGET COLA INCREASE ORDINANCE TO ESTABLISH A CAP BANK  
PUBLIC HEARING**

**A motion** was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to approve Ordinance 02-10

**Roll call** Councilpersons Norgaard ( ), Brennan ( ), Choi ( ), Hawkins ( ), Knott ( ), Raucci ( )

Adoption of Ordinance 03-10 entitled

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 11-06 AND TO ESTABLISH THE POSITION OF TRAFFIC ENFORCEMENT OFFICER AND TO SET THE SALARY RANGE THEREOF  
PUBLIC HEARING**

A **motion** was made by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_ to approve Ordinance 03-10

**Roll call** Councilpersons Norgaard ( ), Brennan ( ), Choi ( ), Hawkins ( ), Knott ( ), Raucci ( )

11. **UNFINISHED BUSINESS**

a) Leonia Website (Councilwoman Brennan)

12. **NEW BUSINESS**

- a) Review of Ordinance regarding leaf blowers (Mayor)
- b) Fines for Illegal Conversion (Mayor Heveran)

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**

*Legal – Borough Attorney*  
*Finance – Councilman Raucci*

**ADJOURNMENT** (10 P.M. unless motion to extend)

***FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN***

# BOROUGH OF LEONIA RESOLUTION

| <i>Council</i> | Motion | Second | Yes | No | Abstain | Absent |
|----------------|--------|--------|-----|----|---------|--------|
| Brennan        |        |        |     |    |         |        |
| Choi           |        |        |     |    |         |        |
| Hawkins        |        |        |     |    |         |        |
| Knott          |        |        |     |    |         |        |
| Norgaard       |        |        |     |    |         |        |
| Raucci         |        |        |     |    |         |        |
| Heveran        |        |        |     |    |         |        |

# 10-

DATE: \_\_\_\_\_, 2010

Carried [ ]

Defeated [ ]

Tabled [ ]

Approved on Consent Agenda [ ]

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

|                             |      |           |
|-----------------------------|------|-----------|
| Current Fund                | 0-01 | 71,814.84 |
| Current Fund                | 9-01 | 21,368.43 |
| Swim Fund                   | 0-05 | 3,027.46  |
| Trust Dedicated             | T-03 | 5,569.54  |
| Developers Escrow           | T-13 | 7,720.00  |
| Recreation Activities Trust | T-20 | 11,968.50 |

|              |                      |
|--------------|----------------------|
| <b>Total</b> | <b>\$ 121,468.77</b> |
|--------------|----------------------|

Claims Resolution 4/5/10

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

..... BOROUGH CLERK

# BOROUGH OF LEONIA RESOLUTION

| <i>Council</i>  | <i>Motion</i> | <i>Second</i> | <i>Yes</i> | <i>No</i> | <i>Abstain</i> | <i>Absent</i> |
|-----------------|---------------|---------------|------------|-----------|----------------|---------------|
| <b>Brennan</b>  |               |               |            |           |                |               |
| <b>Choi</b>     |               |               |            |           |                |               |
| <b>Hawkins</b>  |               |               |            |           |                |               |
| <b>Knott</b>    |               |               |            |           |                |               |
| <b>Norgaard</b> |               |               |            |           |                |               |
| <b>Raucci</b>   |               |               |            |           |                |               |
| <b>Heveran</b>  |               |               |            |           |                |               |

# 10-

DATE: \_\_\_\_\_, 2010

Carried [ ]

Defeated [ ]

Tabled [ ]

Approved on Consent Agenda [ ]

**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 Reserve Budget.

|                                    |  |                     |
|------------------------------------|--|---------------------|
| Borough of Leonia                  | Payroll (3/26/10)                      | 216,418.28          |
| Borough of Leonia                  | Social Security (3/26/10)              | 11,543.23           |
| Borough of Leonia Swim Pool        | Payroll (3/26/10)                      | 2,556.92            |
| Borough of Leonia Swim Pool        | Social Security (3/26/10)              | 195.60              |
| Recreation Activities Trust        | Payroll (3/26/10)                      | 2,619.14            |
| TD Equipment Finance               | Current Fund-April                     | 791.98              |
| Ford Motor Credit                  | Current Fund-April-Police              | 658.02              |
| CIT Technologies                   | Current Fund-April-Police              | 201.34              |
| Canon Financial Services           | Current Fund-April-Copier              | 287.89              |
| J.P.Morgan Chase Bank              | Current -2002 Debt Serv Bond-Principal | 695,000.00          |
| J.P.Morgan Chase Bank              | Current-2002 Debt Serv Bond-Interest   | 48,840.00           |
| Public Employee's Retirement       | Current Fund- PERS                     | 242,519.00          |
| Public Employee's Retirement       | Current Fund- PFRS                     | 488,988.00          |
| Leonia Board of Education          | Current Fund-April School Taxes        | 1,319,711.40        |
| Bergen Cty Municipal Joint Ins     | Current Fund- 2nd Installment 2010     | 100,134.53          |
| Guardian Life Insurance-Short Term | Current Fund-April                     | 93.44               |
| UNUM Insurance-Long Term           | Current Fund-April                     | 539.83              |
| NJSHBP-Active Personnel            | Current Fund-April                     | 75,548.10           |
| NJSHBP-Retired Personnel           | Current Fund-April                     | 26,922.96           |
| Delta Dental                       | Current Fund-April                     | 7,223.40            |
| Ratifying Resolution 4/5/10        | <b>Total</b>                           | <b>3,240,793.06</b> |

**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- 136        |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

## OPPOSING UNITED WATER RATE INCREASE

**WHEREAS**, United Water New Jersey, Inc. (“UWNJ”) has petitioned the New Jersey Board of Public Utilities for a massive rate increase; and

**WHEREAS**, the petition proposed an increase in rates of approximately 20%; and

**WHEREAS**, the basis for the requested increase is essentially three-fold: (1) substantial improvements the Haworth Treatment Plant which represents “the largest single capital investment that United Water has made since its inception in 1869”; (2) its entitlement “to earn a fair rate of return of, and on, these investments”; and (3) “significant increases in categories of costs, including power and chemicals”; and

**WHEREAS**, the majority of the improvements which form the basis for the rate increase have already been completed, effectively seeking to pass on costs “after the fact”; and

**WHEREAS**, this proposed rate increase comes on the heels of a rate increase in 2009 of more than 17.5%; and

**WHEREAS**, without this rate increase, UWNJ’s annual fee for “fire protection charges” in 2009 to the Borough of Leonia was \$93,709.56, including \$37,533.60 for hydrant charges, which is one of the largest single line items in the Borough’s budget; and

**WHEREAS**, while paying the exorbitant rates the Borough receives relatively little in the way of services in return, and has had issues and concerns with deficient hydrant maintenance; and

**WHEREAS**, while area residents continue to struggle through a difficult economy and municipalities constrained by State imposed tax levy and appropriations caps, UWNJ seeks massive rate increases for unprecedented capital projects, its own profits, and cost increases;

**NOW, THEREFORE, BE IT RESOLVED**, that the reasons stated hereinabove, the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey oppose the pending petition by United Water of New Jersey, Inc. for a substantial rate increase;

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to United Water New Jersey, Inc., the New Jersey Board of Public Utilities, and all municipalities served by United Water of New Jersey.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON April 5, 2010**

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**BOROUGH CLERK**

# BOROUGH OF LEONIA RESOLUTION

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

|                 |
|-----------------|
| #10- 137        |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

**WHEREAS**, the Environmental Commission and the Shade Tree Commission of the Borough of Leonia has, in the past held a popular and successful event: Earth/Arbor Day; and

**WHEREAS**, the Commission will again be organizing Earth/Arbor Day in Leonia on May 16, 2010 at 1:00PM; and

**WHEREAS**, the Environmental Commission has requested the use of the Library Parking Lot

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Leonia hereby grants approval for the use of the parking lot behind the Library for Earth/Arbor Day

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON 04/05/2010**

\_\_\_\_\_  
BOROUGH CLERK

# BOROUGH OF LEONIA RESOLUTION

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

|                 |
|-----------------|
| #10- 138        |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, the Sergeant Clendenon Newell American Legion Post #1 sponsors the Memorial Day Parade and Memorial Services in Wood Park; and

WHEREAS, the American Legion has requested a permit to hold their Parade on Monday, May 31, 2010 per the attached letter outlining the parade route; and

WHEREAS, the Governing Body of the Borough of Leonia hereby grants permission for the Annual Memorial Day Parade

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that permission is hereby granted to the American Legion to hold its Annual Memorial Day Parade.

**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 |
|----------|--------|--------|-----|----|---------|--------|
| Norgaard |        |        |     |    |         |        |
| Brennan  |        |        |     |    |         |        |
| Choi     |        |        |     |    |         |        |
| Hawkins  |        |        |     |    |         |        |
| Knott    |        |        |     |    |         |        |
| Rauci    |        |        |     |    |         |        |
| Heveran  |        |        |     |    |         |        |

|                 |
|-----------------|
| #10-139         |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

BE IT RESOLVED THAT THE Leonia Recreation Commission enters into contract to hire the following staff for the 2010 Swim Club Season funded by the Swim Club budget:

### **ASSISTANT MANAGERS POOL**

Stephanie Ardizzone, 484 Greenway Drive, Leonia, NJ, at a salary of \$16.00 per hour  
 Anthony Burke, 299 Highland Street, Leonia, NJ, at a salary of \$16.00 per hour

### **LIFEGUARDS**

Collette Byrnes, 50 Glenwood Ave., Leonia, NJ, at a salary of \$9.50 per hour.  
 Caitlin Doheny, 50 Glenwood Ave., Leonia, NJ, at salary of \$9.50 per hour.  
 Maxanne Esterowitz, 325 Park Avenue, Leonia, NJ, at a salary of \$8.65 per hour.  
 Dylan Hawkins, 123 Knapp Terr., Leonia, NJ, at a salary of \$11.65 per hour.  
 Mina (Jenny) Lee, 111 Irving St., Leonia, NJ, at a salary of \$8.75 per hour.  
 Marissa Mazza, 430 Grandview Terr., Leonia, NJ, at a salary of \$12.65 per hour.  
 Ryan McQuaid, 1589 Bergen Blvd., Leonia, NJ, at a salary of \$9.90 per hour.  
 Vincent Monte, 1432 River Road, Edgewater, NJ 07020 at a salary of \$10.50 per hour.  
 Lindsey Root, 196 Christie St., Leonia, NJ, at a salary of \$9.90 per hour.  
 Patrick Ryan, 421 Broad Ave., Leonia, NJ, at a salary of \$9.90 per hour.  
 Christian Bacchia, 339 Magnolia Pl., Leonia, NJ 07605, at a salary of \$8.00 per hour.  
 Christopher Churchill, 145 Oakdene Avenue, Leonia, NJ, at a salary of \$8.00 per hour.  
 Corey Davis, 32 Meadowview Ct. Leonia, NJ 07605, at a salary of \$8.00 per hour.

### **SUBSTITUTE LIFEGUARDS**

Elizabeth Churchill, 145 Oakdene Ave., Leonia, NJ, at a salary of \$8.75 per hour.  
 Rebecca Elder, 236 Christie heights St., Leonia, NJ 07605, at a salary of \$8.00 per hour  
 Anny Lee, 111 Irving St., Leonia, NJ 07605, at a salary of \$8.00 per hour.  
 Timothy Ryan, 421 Broad Avenue, Leonia, NJ 07605, at a salary of \$8.00 per hour.  
 Anne Dottino, 34 Brook Terrace, Leonia, NJ 07605, at a salary of \$8.00 per hour.

**ADMISSIONS DESK**

Lisa Fortunato, 459 Pine Hill Road, Leonia, NJ 07605, at a salary of \$11.25 per hour.

Alexa Monte, 1432 River Road, Edgewater, NJ 07020 at a salary of \$9.15 per hour.

Emily Ascitutto, 149 Glenwood Ave., Leonia, NJ 07605, at a salary of \$8.00 per hour.

Annie Kennelly, 190 Highwood Ave., Leonia, NJ 07605 at a salary of \$8.00 per hour.

**ARTS & CRAFTS INSTRUCTOR**

Rosemary McMahon, 128 Gladwin Ave., Leonia, NJ, at a salary of \$13.00 per hour

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia to approve the aforementioned employees and salaries.

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**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- 140        |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, Mayor Heveran hereby appoints Barbara Genese to the Mayor's Website Advisory Committee

NOW, THEREFORE, BE IT RESOLVED, that Mayor Heveran hereby appoints Barbara Genese to the Mayor's Website Advisory Committee.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON \_\_\_ 04/05/2010**

\_\_\_\_\_  
BOROUGH CLERK

# BOROUGH OF LEONIA RESOLUTION

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

|                 |
|-----------------|
| #10- 141        |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

WHEREAS, Mayor Heveran hereby appoints Doug Salmon to the Mayor's Website Advisory Committee

NOW, THEREFORE, BE IT RESOLVED, that Mayor Heveran hereby appoints Doug Salmon to the Mayor's Website Advisory Committee.

**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 |
|----------|--------|--------|-----|----|---------|--------|
| Norgaard |        |        |     |    |         |        |
| Brennan  |        |        |     |    |         |        |
| Choi     |        |        |     |    |         |        |
| Hawkins  |        |        |     |    |         |        |
| Knott    |        |        |     |    |         |        |
| Rauci    |        |        |     |    |         |        |
| Heveran  |        |        |     |    |         |        |

|                 |
|-----------------|
| #10-142         |
| DATE 04/05/2010 |
| Carried         |
| Defeated        |
| Tabled          |
| Approved        |

**WHEREAS**, Block 1501, lot 26 commonly known as Oakdene Avenue and Grand Avenue is owned by the Borough of Leonia; and

**WHEREAS**, a request has been made to lease a portion of the property by the owner of the adjacent property;

**WHEREAS**, pursuant to NJSA40A:12-15 an RFP needs to be advertised two times on consecutive weeks in the official paper of the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the Borough Administrator is hereby authorized to prepare the RFP and advertise for sealed bids for a portion of Block 1501 lot 26; and

BE IT FURTHER RESOLVED, the Mayor is authorized to sign and the Borough Clerk to attest the lease.

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

\_\_\_\_\_  
**BOROUGH CLERK**

**BOROUGH OF LEONIA  
ORDINANCE 05-10**

**AN ORDINANCE TO AMEND** the Code of the Borough of Leonia by amending existing Section 290-63A.

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

**Section 1.** The following Section of Ordinance 293-63A is hereby amended to read as follows:

**293-63A**

Any person who violates this article shall be subject to a fine of \$1,000.00 for a first offense and not less than \$1,000.00 nor more than \$2,000.00 for a second or subsequent offense.

**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 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:

, 2010

Adopted:

, 2010