

**MAYOR AND COUNCIL  
WORK SESSION/REGULAR MEETING  
BOROUGH HALL ANNEX  
April 19, 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**  
Sgt. Ponsi
6. **APPOINTMENTS**
7. **APPROVAL OF MINUTES**  
Council Meeting                      April 5, 2010  
Closed Session                      April 5, 2010
8. **RESOLUTIONS**  
10-144 Authorizing a License to 410 Highwood for driveway on Yalden Terrace  
10-145 Authorizing Raffle Licenses for the American Legion  
10-146 Authorizing the Extension of the Agreement for Landscape Services for Sylvan Park to Tri State Athletic Field Services  
10-147 Authorizing Ratifying Resolution to Pay 2009 Claims against Appropriation Reserves and 2010 Budget  
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  
Economic Development  
Borough Administrator  
Mayor  
Special Bodies

**10- INTRODUCTION OF ORDINANCE**

Introduction of Ordinance 06-10 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 approve on first reading Ordinance 06-10.

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

Introduction of Ordinance 07-10 entitled:

**AN ORDINANCE AMENDING ORDINANCE 49-4 TITLED "TABLE OF ORGANIZATION" BY DELETING AND REPEALING ORDINANCE 49-4 AND REPLACING IT WITH A NEW ORDINANCE 49-4, "TABLE OF ORGANIZATION".**

A motion was made by Councilperson \_\_\_\_\_ seconded by Councilperson \_\_\_\_\_ to approve on first reading Ordinance 07-10.

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

**11 ADOPTION OF ORDINANCE**

**12. UNFINISHED BUSINESS**

a) 410 Highwood Avenue

**13 NEW BUSINESS**

a) Board of Education Construction Request (Borough Administrator)

**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 Raucci*

**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						
Raucci						
Heveran						

#10- 144
DATE 04/19/2010
Carried
Defeated
Tabled
Approved

WHEREAS, the owner of 410 Highwood Avenue currently maintains a driveway on Yalden Terrace within the Borough of Leonia; and

WHEREAS, the owners of the property, Patrick and Dolores Gagliardi, have requested the Borough of Leonia adopt a resolution granting them a license to continue to utilize the driveway that is installed on Yalden Terrace; and

WHEREAS, the Mayor and Council of the Borough of Leonia deem it is the interest to grant the license subject to the conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia as follows: that the authorization shall be deemed a license granted by the Borough and not convey any ownership interest in the Borough's property on Yalden Terrace; and

BE IT FURTHER RESOLVED, that the present owner and all future owners of the property shall be responsible for the maintenance and repair of said driveway and the Borough of Leonia is hereby absolved of any liability of the use of said driveway; and

BE IT FURTHER RESOLVED, that the owner shall not install any device or obstruction that would impede the use of Yalden Terrace by Borough or other vehicles; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the attorney for Patrick and Dolores Gagliardi, Robert Metzdorf, Esq.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON 2/17/2010**

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

# BOROUGH OF LEONIA RESOLUTION

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

#10- 145
DATE 2/17/2010
Carried
Defeated
Tabled
Approved

**WHEREAS**, the following has applied for Raffle Licenses:

Sgt. Clendenon Newell American Legion Post 1 for Casino Nite, Friday,  
April 23, 2010 License No. 10-07

Sgt. Clendenon Newell American Legion Post 1 for On Premise 50/50  
Friday April 23, 2010, License No. 10-08

**NOW, THEREFORE, BE IT RESOLVED**, the Governing Body of the  
Borough of Leonia hereby approves the above raffle licenses

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED  
BY THE MAYOR AND COUNCIL ON 04/19/2010**

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

# BOROUGH OF LEONIA RESOLUTION

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

# 10-146

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

Carried [    ]

Defeated [    ]

Tabled [    ]

Approved on Consent Agenda [    ]

WHEREAS, the contract for landscape services at Sylvan Park was awarded on March 20, 2009 to Tri State Athletic Field Services in the amount of \$16,500.00 with a two (2) year renewal option that would remain in the same amount of \$16,500.00; and

WHEREAS, Jack Terhune, Borough Administrator recommends that the contract be extended for a two (2) year period to Tri State Athletic Field Services in the amount of \$16,500.00, annually, to be paid in two (2) installments each year of the contract, on or about June 1<sup>st</sup> and November 1<sup>st</sup> of each year of the contract; through April 2012, total amount for two (2) years \$33,000.00, and;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the option to renew the agreement in the amount of \$16,500.00.

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

..... BOROUGH CLERK

BOROUGH OF LEONIA  
ORDINANCE 06-10

**AN ORDINANCE TO AMEND** the Code of the Borough of Leonia by changing existing Sections 232-3 F(1)

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

**Section 1.** The following Section of Ordinance 232 F(1) is hereby amended to read as follows:

**232-3 F(1)**

No more than one such sign shall be permitted on any premises per candidate per election. All such signs shall be removed within 24 hours after the election is held.

**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

**BOROUGH OF LEONIA**  
**ORDINANCE 07-10**

**AN ORDINANCE AMENDING ORDINANCE 49-4 TITLED "TABLE OF ORGANIZATION" BY DELETING AND REPEALING ORDINANCE 49-4 AND REPLACING IT WITH A NEW ORDINANCE 49-4, "TABLE OF ORGANIZATION".**

**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 deleting and repealing Ordinance 49-4, "Table of Organization".

**Section 2.** The Code of the Borough of Leonia is hereby amended by adding thereto a new section, to replace Ordinance 49-4 hereinabove repealed, to read as follows:

**49-4. Table of Organization.**

A. The Police Department shall consist of the following positions: One Chief of Police, one Lieutenant, four Sergeants, and eleven officers.

**Section 3.** The position of part time traffic officer is defined as the officer who will be responsible for enforcing the laws of the Borough and parking restrictions along Broad Avenue and in the Municipal Parking lots. The Salary for said officer will be consistent with the current Salary Ordinance, Section 3 "Police Department" A. Non Union Personnel at a salary from \$15.00 to 20.00 an hour with no benefits.

**Section 4.** 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 5.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency to law.

Attest:

Approved:

\_\_\_\_\_  
Fran Lehmann,  
Borough Clerk

\_\_\_\_\_  
Mary Heveran,  
Mayor

Introduced: , 2010

Adopted: , 2010