

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
May 3, 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**

6. **PRESENTATIONS**

7. **APPROVAL OF MINUTES**

Council Meeting	April 19, 2010
Closed Session	April 19, 2010

8. **RESOLUTIONS**

- 10-149 Authorizing Ratifying Resolution to Pay 2009 Claims against Appropriation Reserves and 2010 Budget
10-150 Authorizing the Treasurer to Pay Claims against the 2009 Budget Reserves and the 2100 Municipal Budget
10-151 Authorizing On Premise 50/50 for American Legion Post #1
10-152 Rejecting the Bid for the Fire Truck and Authorizing the re-advertisement of same
10-153 Authorizing Change Order # 1 A.J.M. Construction
10-154 Authorizing Change Order #1 for Berto Construction
10-155 Authorizing the Administrator to Advertise an RFP For Ambulance Service

10-156 Authorizing a Temporary Budget
10-157 Authorizing Temporary Budget for Swim Pool
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**

10. **ADOPTION OF ORDINANCES**

Adoption of Ordinance 04-10 entitled:
AN ORDINANCE AMENDING A PORTION OF CHAPTER 290 OF THE ORDINANCES OF LEONIA TITLED "OB-OFFICE BUILDING ZONE"

PUBLIC HEARING

A Motion was made by Councilperson _____ seconded by Councilperson _____ to adopt on final reading Ordinance 04-10.

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

Adoption of Ordinance 05-10 entitled:
AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF LEONIA BY AMENDING THE EXISTING SECTION 290-63A

PUBLIC HEARING

A Motion was made by Councilperson _____ seconded by Councilperson _____ to adopt on final reading Ordinance 05-10.

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

Adoption of Ordinance 06-10 entitled:
AN ORDINANCE TO AMEND CODE OF THE BOROUGH OF LEONIA BY CHANGING EXISTING SECTIONS 232-3(F)

PUBLIC HEARING

A Motion was made by Councilperson _____ seconded by Councilperson _____ to adopt on final reading Ordinance 06-10.

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

Adoption 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"

PUBLIC HEARING

A **Motion** was made by Councilperson _____ seconded by Councilperson _____ to adopt on final reading Ordinance 07-10.

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

11. **UNFINISHED BUSINESS**
 - a) Guidelines for Stand-by duty Fire and Ambulance
12. **NEW BUSINESS**
 - a) Parking Fund Recommendations from Planning Board (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

10-149

DATE: _____, 2010

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

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

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	202,190.50
Current Fund	9-01	43,618.29
Swim Fund	0-05	1,572.07
Capital	C-04	8,810.89
Grant Fund Appropriated	G-01	550.00
Developers Escrow	T-13	5,447.50
Recreation Activities Trust	T-20	15,166.30
DrUG Alliance Trust	T-23	200.00
Animal Trust	T-25	344.40

Total \$ 277,899.95

Claims Resolution 5/3/10

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>
Brennan						
Choi						
Hawkins						
Knott						
Norgaard						
Raucci						
Heveran						

10-150

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 (4/23/10)	226,408.38
Borough of Leonia	Social Security (4/23/10)	12,199.67
Borough of Leonia Swim Pool	Payroll (4/23/10)	2,556.92
Borough of Leonia Swim Pool	Social Security (4/23/10)	195.60
Recreation Activcities Trust	Payroll (4/23/10)	2,530.33
Leonia Board of Education	Current Fund- May School Taxes	1,319,711.40
UNUM Insurance-Long Term	Current Fund- May	539.83
NJSHBP-Active Employees	Current Fund-May	77,326.59
NJSHBP-Retired Employees	Current Fund-May	28,636.38
Delta Dental	Current Fund-May	7,585.98
VFIS Benefits Division	Current Fund-April	1,202.58
VFIS Benefits Division	Current Fund-May	1,202.58
Guardian	Current Fund-adj April Pmt	11.13
Guardian	Current Fund-May	104.57
Giblin & Giblin Trust Acct	Capitol Fund-Land Acquisition	415,000.00
Bergen County Utilities Authority	Current Fund-2nd Q Sewer Charges	194,117.00
County of Bergen-Taxation	Current Fund- May 15	736,650.00
County of Bergen-Open Space	Current Fund-May 15	40,550.00

Ratifying Resolution 5/03/10

Total 3,066,528.94

**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	x		xx			
Brennan			x			
Choi		x	x			
Hawkins			x			
Knott			x			
Raucci			x			
Heveran						

#10-151
DATE 5/3/2010
Carried
Defeated
Tabled
Approved

BE IT RESOLVED, that the American Legion Post #1 is hereby authorized to conduct an On Premise 50/50 on Saturday, May 22, 2010

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						
Raucci						
Heveran						

#10-152
DATE 5/3/2010
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia did advertise and receive one bid for a new Fire Truck on April 15, 2010; and

WHEREAS, upon the review of the bid by the Borough Attorney who recommends that said bid be rejected for deficiencies; and

WHEREAS, the Borough Administrator is hereby directed to readvertise for bids for the fire truck

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that the bid is hereby rejected and the Administrator is hereby authorized to readvertise for the fire truck.

**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						
Raucci						
Heveran						

#10-153
DATE 05/03/2010
Carried
Defeated
Tabled
Approved

WHEREAS, A.J.M. Contractors was awarded the NJDOT Improvements to Broad Avenue Phase VI and CDBG Improvements to Hawthorne Terrace; and

WHEREAS, the Engineers has submitted Estimate No.3 (final) for the amount \$8,810.89; and

WHEREAS, Final NJDOT As-Built Change Order #1 for a net *Decrease* of \$24,842.96; and

WHEREAS, the CFO has certified that funds are available to pay the amount of \$8,810.96 which represents the final payment

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia, County of Bergen hereby approves the final payment to A.J.M. Contractors per the attached notification from the Borough Engineer.

**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						
Raucci						
Heveran						

#10-154
DATE 05/03/2010
Carried
Defeated
Tabled
Approved

WHEREAS, Berto Construction, Inc. was awarded the Contract for Sylvan Park;
and

WHEREAS, Berto Construction has submitted a Change Order to install a water
line in Dudley C. Allen Park in the amount of \$6,500 ; and

WHEREAS, the CFO has certified that the funds are available

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the
Borough of Leonia, County of Bergen that Change Order #1 for Berto
Construction is hereby approved.

**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						
Raucci						
Heveran						

#10-155
DATE
Carried
Defeated
Tabled
Approved

WHEREAS, the Governing Body of the Borough of Leonia, County of Bergen hereby authorizes the Borough Administrator to prepare and advertise and RFP for Ambulance Service within the Borough

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Leonia that the Borough Administrator is hereby authorized and directed to prepare and advertise an RFP for Ambulance Service for the Borough of Leonia.

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

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

10-156

DATE: _____, 2010

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

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 20,000.00

ADMINISTRATIVE AND EXECUTIVE

Salaries & Wages
Other Expenses 7,000.00

CODIFICATION OF ORDINANCES

Other Expenses

POSTAGE

Other Expenses

COPIER OPERATIONS

Other Expenses

BOROUGH CLERK-ELECTIONS

Salaries & Wages
Other Expenses 3,000.00

FINANCIAL ADMINISTRATION

Other Expenses

COMPUTER DATA PROCESSING

Other Expenses

FINANCE/TAX COLLECTION

Salaries & Wages
Other Expenses 1,000.00

ASSESSMENT OF TAXES

Salaries & Wages
Other Expenses

Subtotal 31,000.00

RESOLUTION CONTINUED

2 of 5

Subtotal Carried Forward	31,000.00
<u>LEGAL SERVICES</u>	
Salaries & Wages	
Other Expenses	5,000.00
<u>ENGINEERING SERVICES</u>	
Other Expenses	10,000.00
<u>HISTORICAL COMMISSION</u>	
Other Expenses	
<u>LAND USE ADMINISTRATION</u>	
<u>PLANNING BOARD</u>	
Salaries & Wages	
Other Expenses	600.00
<u>BOARD OF ADJUSTMENT</u>	
Salaries & Wages	
Other Expenses	1,925.00
<u>PUBLIC SAFETY</u>	
<u>POLICE DEPARTMENT</u>	
Salaries & Wages	(43,620.00)
Other Expenses	30,000.00
<u>POLICE VEHICLE LEASE/ PURCHASE</u>	
Other Expenses	
<u>EMERGENCY MANAGEMENT</u>	
Other Expenses	
<u>FIRST AID ORGANIZATION</u>	
Other Expenses	5,500.00
<u>DAYTIME AMBULANCE COVERAGE</u>	
Salaries & Wages	
<u>FIRE DEPARTMENT</u>	
Other Expenses	3,250.00
<u>LOSAP</u>	
Other Expenses	
<u>FIRE MARSHAL</u>	
Salaries & Wages	
Other Expenses	1,000.00
<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	(60,000.00)
Other Expenses	20,000.00
<u>ROAD REPAIRS</u>	
Other Expenses	
<u>SHADE TREE FUNCTIONS</u>	
Other Expenses	
<u>INSURANCE PREMIUMS</u>	
Other Expenses	(530,220.00)
<u>MAINTENANCE OF RADIOS</u>	
Other Expenses	
Subtotal	(525,565.00)

RESOLUTION CONTINUED

3 of 5

Subtotal Carried Forward	(525,565.00)
<u>GARBAGE & TRASH REMOVAL</u>	
Tipping Fees-BCUA	24,500.00
<u>RECYCLING</u>	
Salaries & Wages	
Other Expenses	7,000.00
<u>PUBLIC BUILDINGS & GROUNDS</u>	
Salaries & Wages	
Other Expenses	8,000.00
<u>HEALTH AND WELFARE</u>	
<u>BOARD OF HEALTH</u>	
Salaries & Wages	
Other Expenses	3,700.00
<u>PUBLIC ASSISTANCE</u>	
Salaries & Wages	
Other Expenses	
<u>HUMAN RELATIONS</u>	
Other Expenses	
<u>PARKS & RECREATION</u>	
<u>BRD OF RECREATION COMMISSIONERS</u>	
Salaries & Wages	
Other Expenses	(40,948.00)
<u>SENIOR CITIZENS ACTIVITIES</u>	
Salaries & Wages	
Other Expenses	
<u>SENIOR BUS</u>	
Salaries & Wages	
Other Expenses	
<u>CODE ENFORCEMENT & ADMIN.</u>	
<u>UNIFORM CONSTRUCTION CODE</u>	
Salaries & Wages	(17,254.00)
Other Expenses	1,375.00
<u>FIRE SUB-CODE OFFICIAL</u>	
Salaries & Wages	
Other Expenses	
<u>ELECTRICAL SUB-CODE OFFICIAL</u>	
Salaries & Wages	
Other Expenses	
<u>RENT LEVELING</u>	
Other Expenses	
<u>UNCLASSIFIED</u>	
<u>UNCLASSIFIED SALARIES</u>	
Salaries & Wages	
<u>GRANTS CONSULTANT</u>	
Salaries & Wages	
Other Expenses	
<u>ELECTRICITY & GAS</u>	
Other Expenses	
<u>STREET LIGHTING</u>	
Other Expenses	
<u>FIRE HYDRANT SERVICES</u>	
Other Expenses	
Subtotal	(539,192.00)

RESOLUTION CONTINUED

Subtotal Carried Forward	(335,886.00)
<u>DRUNK DRIVING ENFORCEMENT FUND</u>	
Salaries & Wages	
Other Expenses	
<u>CLEAN COMMUNITIES PROGRAM</u>	
Salaries & Wages	12,598.00
Other Expenses	
<u>PEDESTRIAN SAFETY GRANT</u>	
Salaries & Wages	
Other Expenses	
<u>DOWNPAYMENT ON IMPROVEMENTS</u>	
<u>CAPITAL IMPROVEMENT FUND</u>	
<u>MUNICIPAL DEBT SERVICE</u>	
Payment of Bond Principal	
Paydown of BAN Principal	
Interest on Bonds	
Interest on Notes	
Tax Anticipation Notes-Interest	
<u>NJEIT LOAN-SPRING STREET SEWER</u>	
Principal	
Interest	
<u>NJEIT LOAN-SALT DOME CONSTRUCTION</u>	
Principal	
Interest	
<u>DEFERRED CHARGES EXCLUDED FROM "CAPS"</u>	
Emergency Authorization	
Special Emergency Authorizations-5 Years	
Special Emergency Authorizations-3 Years	
Deferred Charges to Future Taxation	
Judgements	
Prior Years Bills	
Subtotal All Appropriations	(323,288.00)
Less Capital Improvement Fund	-
Less Municipal Debt service	-
Less Deferred Charges	-
	-
Temporary Emergency Appropriations	(323,288.00)
#5	

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

10-157

DATE: _____, 2010

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

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 OPERATING BUDGET

Salaries & Wages	18,000
Other Expenses	10,835
Debt Service	
Public Employee's Retirement System	
Social security System (O.A.S.I.)	2,000
Capital Outlay	
Capital Improvement Fund	
Total	<u>0</u> 30,835

SP TEMP BUDGET #4

BOROUGH OF LEONIA
ORDINANCE
04-10

AN ORDINANCE AMENDING a portion of Chapter 290 of the Ordinances of Leonia titled "OB Office Building Zone".

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 changing Ordinance 290-30 A to read as follows:

A. Principal permitted uses.

- (1) Professional, business and government offices, excluding medical offices unless they provide a private 24 hour per day ambulance service.
- (2) Public open space and recreation

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: , 2010
Adopted: , 2010

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

**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.

Section 6. 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