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

1. FLAG SALUTE

2. <u>ROLL CALL</u> 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. PRESENTATION

5. APPOINTMENTS

6. COMMENTS FROM THE PUBLIC

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

.APPROVAL OF MINUTES

Council Meeting September 7, 2010 Closed Session September 7, 2010

8. RESOLUTIONS

10-218 Authorizing the Appointment of Dwayne Wright as Mechanic/Laborer (9/7/2010)
10-220 Authorizing Raffle License 20-10 Home School Association, Licenses 21-10 and 22-10 to American Legion Post 1, 23-10 Taking Strides for Mental Illness

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

9/16/2010

Police Fire Ambulance Public Works Economic Development Borough Administrator Mayor Special Bodies

10-INTRODUCTION OF ORDINANCE

11 ADOPTION OF ORDINANCE

Adoption of Ordinance 09-10 entitled; AN ORDINANCE AMENDING CHAPTER 66 TITLED "VOLUNTEER SERVICES" TO ADD A NEW SECTION REGARDING VOLUNTEER EMERGENCY STANDBY GUIDELINES.

Public Hearing

A Motion was made by Councilperso	n, seconded by
Councilperson	to approve on final reading Ordinance 09-
10.	
ROLL CALL Councilpersons Norga	ard (), Brennan (), Choi (), Hawkins (),
Knott (), Raucci ()	

Adoption of Ordinance 10-10 Entitled:

BOND ORDINANCE TO MAKE VARIOUS AMENDMENTS TO THE BOND ORDINANCE (ORD. NO. 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," ADOPTED FEBRUARY 1, 2010.

Public Hearing

	A Motion was made by Councilperson, seconded by
	Councilperson to approve on final reading Ordinance 10-
	10.
	ROLL CALL Councilpersons Norgaard (), Brennan (), Choi (), Hawkins (), Knott (), Raucci () Adoption of Ordinance 11-10 entitled: AN ORDINANCE AMENDING ORDINANCE 194-43 TITLED "SCHEDULE XIV: LEFT AND RIGHT TURNS"
	Public Hearing
	A Motion was made by Councilperson , seconded by
	A Motion was made by Councilperson, seconded by Councilperson to approve on final reading Ordinance 11-
	10.
	ROLL CALL Councilpersons Norgaard (), Brennan (), Choi (), Hawkins (),
	Knott (), Raucci (
	NAME OF THE PARTY
12.	a) E-Blast/Tax Bills (Councilwoman Brennan)
	a) E-Blast Tax Bills (Council wollian Brennan)
13	NEW BUSINESS
	a)
14.	COMMENTS FROM THE PUBLIC
	Limited to five (5) per speaker at the discretion of the Chair (duration 30
	minutes)
15	CORRESPONDENCE
16.	CLOSED SESSION (L)
17.	ADJOURNMENT (10:00pm unless motion to extend)
1/.	ADDOUGHTEST (10.00pm unless monon 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						

#10-218	
DATE	
Carried	
Defeated	
Tabled	
Approved	

WHEREAS, Mr. Dwayne Wright has assumed the responsibilities of Mr. Franco Aguilar effective July 8, 2010 who has retired; and

WHEREAS, Mr. Saitta and Mr. Terhune recommend that Mr. Wright be assigned to the position of DPW Mechanic/Laborer at a salary of \$ 64,505.00 retroactive to July 8, 2010: and

WHEREAS, the CFO has certified that the funds are available in the 2010 Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia, Mr. Dwayne Wright is hereby assigned to the position of Mechanic effective July 8, 2010 on a 30 day trial basis ending August 8, 2010.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPT	E)
BY THE MAYOR AND COUNCIL ON	
ROPOLICH CLERK	

BOROUGH OF LEONIA RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia Herby approves the following Raffle Licenses;

Leonia Home and School Association License Number 20-10 for a Silent Auction American Legion Post #1 License Number 21-10 for a Casino Night and 22-10 on Premise 50/50

Taking Strides for Mental Illness for Games and Wheels at Carnival in Overpeck Park License Number 23-10

BY THE MAYOR AND	
BOROUGH CLERK	

BOROUGH OF LEONIA ORDINANCE 09-10

AN ORDINANCE AMENDING Chapter 66 titled "Volunteer Services" to add a new section regarding Volunteer Emergency Standby Guidelines.

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

<u>Section 1.</u> The Code of the Borough of Leonia is hereby amended by adding a new section to be known as 66-18 as follows:

66-18 Volunteer Emergency Standby Guidelines

- 1. The Office of Emergency Management Coordinator is responsible for notifying the Mayor, Borough Administrator, Fire Department and Ambulance Corps of circumstances which indicate a potential need for volunteer standby personnel. Said notification shall be made as soon as possible in order to provide the maximum time for response.
- 2. The Chief of the Fire Department and Captain of the Ambulance Corps shall request approval of all standby time from the Borough Administrator. Any request for standby time shall include both a specific start time as well as a specific end time if known. If the extent of the requested standby time is not known when the request is made, a request for the specific number of hours of standby time shall be requested. If any request pursuant to this ordinance is denied by the Administrator or the Administrator is not available, the Mayor shall have the authority to approve standby time.
- 3. Standby time must be approved by the Borough Administrator or Mayor as set forth in paragraph 2 above in order for it to be compensable by the Borough.
- 4. After taking action on any request for standby time, the Borough Administrator shall notify the Mayor, council liaison, Volunteer Fire Department Chief and Ambulance Captain that if standby duty has been approved and the hours that have been approved. If the Mayor shall

approve standby time, the Administrator, council liaison, Volunteer Fire Department Chief and Ambulance Captain shall be notified.

- 5. Unless otherwise determined by the Borough Administrator or Mayor, as set forth in paragraph 2 above, standby time approval shall normally include a total of six (6) firefighters, and for the Ambulance Corps, a total of two (2) emergency medical technicians.
- 6. Any increase in standby personnel must be approved in advance by the Borough Administrator or Mayor as set forth in paragraph 2 above.
- 7. In the event that that Borough Administrator or Mayor, as set forth in paragraph 2 above, approves standby time without a specific ending time, the Volunteer Fire Department Chief and/or Volunteer Ambulance Captain shall keep the Borough Administrator, Mayor and council liaisons informed of the conditions that created the need for standby time and will, as soon as possible, advise them of when standby time can be terminated.
- 8. Upon determining that standby time will no longer be necessary, the Borough Administrator or Mayor, as set forth in paragraph 2 above, shall notify the Volunteer Fire Department Chief and/or Ambulance Captain of the specific time that standby service shall be terminated. The Borough Administrator shall also inform the Mayor and council liaisons of the termination of standby time.
- <u>Section 2.</u> 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.
- $\underline{\text{Section 3}}$. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.
- $\underline{\textbf{Section 4}}.$ This Ordinance shall take effect upon final passage and publication according to law.

Attest:	Approved:		
Fran Lehmann,	Mary Heveran,		
Borough Clerk Introduced:	Mayor . 2010		
Adopted:	, 2010		

BOROUGH OF LEONIA ORDINANCE 10-10

BOND ORDINANCE TO MAKE VARIOUS AMENDMENTS TO THE BOND ORDINANCE (ORD. NO. 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," ADOPTED FEBRUARY 1, 2010.

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. Section 4 of Ordinance No. 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"

adopted by the Borough Council of the Borough of Leonia, in the County of Bergen, New Jersey (the "Borough") on February 1, 2010 (the "Prior Ordinance") is hereby amended to (A) (i) add the following location to the road improvements authorized in Section 4.A.: Glenwood Avenue (from Fort Lee Road to Woodland Place); (ii) appropriate an additional Federal grant in the amount of \$100,000 for the improvement of Glenwood Avenue in Section 4.A.; (iii) decrease the down payment appropriated in

Section 4.A. from \$14,765 to \$10,005 (a decrease of \$4,760); and (iv) decrease the bonds and notes authorized in Section 4.A. from \$295,245 to \$200,005 (a decrease of \$95,240); (B) (i) appropriate a Federal grant in the amount of \$47,540 for the improvement of Wood Park in Section 4.F.; (ii) increase the amount to be provided by the County grants in Section 4.F. from \$205,000 to \$239,460 (an increase of \$34,460); and (iii) decrease the amount to be provided by the State grant in Section 4.F. from \$195,000 to \$113,000 (a decrease of \$82,000); and (C) (i) increase the aggregate grants and private contribution appropriated for Section 4 from \$1,145,850 to \$1,245,850 (an increase of \$100,000); (ii) decrease the aggregate down payment appropriated for Section 4 from \$75,785 to \$71,025 (a decrease of \$4,760); and (iii) decrease the aggregate amount of bonds and notes authorized in Section 4 from \$1,515,125 to \$1,419,885 (a decrease of \$95,240); and shall hereafter read as follows:

"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 (I) 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 and from Fort Lee Road to Woodland Place). 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 Grants Appropriated \$200,000	,
State Grant Appropriated	\$200,000
Down Payment Appropriated	\$ 10,005
Bonds and Notes Authorized	\$200,005
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

Ψ100,000	
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 Down Payment Appropriated Bonds and Notes Authorized Period of Usefulness	\$451,000 \$ 21,480 \$429,520 10 years
F. Rehabilitation of Wood Park (Phase II). Appropriation and Estimated Cost Federal Grant Appropriated County Grants Appropriated State Grant Appropriated Down Payment Appropriated Bonds and Notes Authorized Period of Usefulness	\$455,100 \$ 47,540 \$239,460 \$113,000 \$ 2,630 \$ 52,470 15 years
G. Renovation of Sylvan Park. Appropriation and Estimated Cost County Grant Appropriated Private Contribution Appropriated Down Payment Appropriated Bonds and Notes Authorized Period of Usefulness	\$135,650 \$ 57,925 \$ 57,925 \$ 945.00 \$ 18,855 15 years
Aggregate Appropriation and Estimate Aggregate Grants and Private Contrib Appropriated Aggregate Down Payment Appropriate Aggregate Amount of Bonds and Note Authorized	ution \$1,245,850 sed \$ 71,025

Section 2. A new Section 7 is hereby added to appropriate a \$100,000 Federal Community Development grant for the improvement of Glenwood Avenue (from Fort Lee Road to Woodland Place) authorized in Section 4.A., and shall hereafter read as follows:

"Section 7. 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 Glenwood Avenue (from Fort Lee Road to Woodland Place) authorized in Section 4.A. hereof."

Section 3. A new Section 10 is hereby added to appropriate a \$47,540 Federal Community Development grant for the improvement of Wood Park authorized in Section 4.F., and shall hereafter read as follows:

"Section 10. The sum of \$47,540 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 Wood Park authorized in Section 4.F. hereof."

Section 4. Sections 7 to 8 and 9 to 23, inclusive, of the Prior Ordinance are hereby renumbered Sections 8 to 9 and 11 to 25, inclusive.

Section 5. Section 11 of the Prior Ordinance, as renumbered, is hereby amended to decrease the amount received or to be received as a grant from the State of New Jersey Department of Environmental Protection Green Acres Program for the improvement of Wood Park authorized in Section 4.F. from \$195,000 to \$113,000 (a decrease of \$82,000), and shall hereafter read as follows:

"Section 11. The sum of \$113,000 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 6. Section 12 of the Prior Ordinance, as renumbered, is hereby amended to increase the amount received or to be received as grants from the County of Bergen Open Space, Recreation, Farmland and Historic Preservation Trust Fund for the

improvement of Wood Park authorized in Section 4.F. from \$205,000 to \$239,460 (an increase of \$34,460), and shall hereafter read as follows:

"Section 12. The sum of \$239,460 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 7. Section 15 of the Prior Ordinance, as renumbered, is hereby amended to decrease the down payment appropriated from \$75,785 to \$71,025 (a decrease of \$4,760), and shall hereafter read as follows:

"Section 15. It is hereby determined and stated that moneys exceeding \$71,025, 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 \$71,025 is hereby appropriated from such moneys to the payment of the cost of said purposes."

Section 8. Section 16 of the Prior Ordinance, as renumbered, is hereby amended to decrease the amount of bonds authorized from \$1,515,125 to \$1,419,885 (a decrease of \$95,240), and shall hereafter read as follows:

"Section 16. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,419,885 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 9. Section 17 of the Prior Ordinance, as renumbered, is hereby amended to decrease the amount of bond anticipation notes authorized from \$1,515,125 to \$1,419,885 (a decrease of \$95,240), and shall hereafter read as follows:

"Section 17. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,419,885 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 10. Section 19 of the Prior Ordinance, as renumbered, is hereby amended to increase the average period of usefulness of the purposes authorized from 22.16 years to 22.97 years (an increase of 0.81 years), and shall hereafter read as follows:

"Section 19. 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 22.97 years computed from the date of said bonds."

Section 11. Section 20 of the Prior Ordinance, as renumbered, is hereby amended to decrease the amount of gross debt of the Borough shown on the

Supplemental Debt Statement filed for the ordinance, as amended, from \$1,515,125 to \$1,419,885 (a decrease of \$95,240), and shall hereafter read as follows:

"Section 20. 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 \$1,419,885 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 12. The capital budget is hereby amended to conform with the provisions of this amendatory bond 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 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST	
Borough Clerk	Mayor Mary Heveran
Introduced	
Adopted	

BOROUGH OF LEONIA ORDINANCE 11-10

AN ORDINANCE AMENDING Ordinance 194-43 titled "Schedule XIV: Left and Right Turns."

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia that, in accordance with the provisions of Ordinance 194-20 titled "Prohibited Turns," Ordinance 194-43 is amended to add the following:

Name of Street	Direction
Christie Street	All traffic shall turn right onto Grand Avenue.
Station Parkway	All traffic shall turn right onto Grand Avenue.

<u>Section 2</u>. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

 $\underline{\underline{Section~3}}$. This Ordinance shall take effect upon final passage and publication according to law.

Attest:	Approved:
Fran Lehmann,	Mary Heveran,
Borough Clerk	Mayor

, 2010

, 2010

Introduced:

Adopted: