

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
October 19, 2009
7:30pm**

1. FLAG SALUTE

- 2. ROLL CALL** Mayor Heveran (), Councilpersons Choi (), Hawkins (), Norgaard (), Puzzo (), Raspa-Gore, () 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

6. APPOINTMENTS

7. APPROVAL OF MINUTES

Council Meeting October 5, 2009
Closed Session October 5, 2009

8. RESOLUTIONS

09-200 Opposing the Reconstruction of the Henry Hoebel Dog Park
09-201 Authorizing Auction of Impound Vehicles and Unwanted Borough Vehicles
09-202 Authorizing the Cancellation of Various Current Fund Balances
09-203 Cancellation of Reserves of the Swim Pool Utility to the Swim Pool Utility Surplus
09-204 Authorizing Refund of Escrow Funds to 172 Hillcrest Avenue
A motion was made by Councilperson _____ seconded by
Councilperson _____ to approve Resolutions

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

9. REPORTS

Standing Committees

Finance Administration & Personnel
Laws & Ordinances
Police
Fire
Ambulance
Public Works

10. INTRODUCTION OF ORDINANCE

11. ADOPTION OF ORDINANCE

Adoption of Bond Ordinance 18-09 entitled:

"BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY: (1) BOND ORDINANCE 08-05 ADOPTED ON MAY 16, 2005 AND (2) BOND ORDINANCE 14-06 ADOPTED ON OCTOBER 3, 2006."

Public Hearing

Motion made by Council _____, seconded by Council _____ to adopt on final reading Ordinance 18-09

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

12. UNFINISHED BUSINESS

a)

13. NEW BUSINESS

a)

14. CORRESPONDENCE

15. COMMENTS FROM THE PUBLIC

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

16. CLOSED SESSION (I)

Litigation – Yamato/Texaco Property

17. ADJOURNMENT (10:00pm unless motion to extend)

FORMAL ACTION ON ANY BOROUGH BUSINESS MAY BE TAKEN

**BOROUGH OF LEONIA
 RESOLUTION**

09-200

DATE: _____, 2009

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Raucci						
Heveran						

WHEREAS, the Mayor and Council of the Borough of Leonia does not agree that it is in the best interest of the Borough to create additional paved parking in the Overpeck Park for the reconstruction of the Henry Hoebel Dog Run; and

WHEREAS, there is currently sufficient parking for the dog owners to park on the North Side of Overpeck Park in the current parking facilities; and

WHEREAS, this covering of land within approximately 100' of the Overpeck Creek with asphalt is not in the best interest of the estuary or the environment; and

WHEREAS, considering the amount of traffic that traverses Fort Lee Road on a daily basis, to create another ingress/egress is a safety concern for the motoring public, particularly in such close proximity to Interstate Route 95; and

WHEREAS, the Mayor and Council of the Borough of Leonia does not believe this a well-designed use for open space; and

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Leonia is opposed to the construction of another parking lot in the North Section of the Overpeck Park to accommodate the dog run; and

Furthermore, the Borough Clerk is hereby directed to send a copy of this Resolution to Governor Jon S. Corzine, State Senator Loretta Weinberg, DEEP Commissioner Mark N. Mauriello, County Executive Dennis McNerney, The Bergen County Board of Chosen Freeholders, the Bergen County Department of Parks and the Division of Environmental Protection Division of Land Use Regulation.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2009

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Raucci						
Heveran						

09-201

DATE: _____, 2009

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

WHEREAS, the Borough of Leonia has in its possession the following abandoned and unclaimed vehicles and bicycles currently being stored at Hackensack Auto Body, 96 First St., Hackensack, NJ 07601, Tumino's Towing 37 Emerson Street, Ridgefield Park, NJ 07660, Sano's Towing, 344 Bergen Blvd., Palisades Park, NJ 07650 and the Leonia Police Department, Wood Park, Leonia, NJ 07605:

(SEE ATTACHED)*

WHEREAS, minimum bids were based upon towing fees from date of impoundment by the Leonia Police Department to date of auction; and

WHEREAS, the owners of these vehicles were notified by certified mail and notice shall be published at least 10 days prior to auction in a newspaper circulating in the municipality giving notice of said auction and description of vehicles; and

WHEREAS, the owners have not responded or claimed the vehicles; and

WHEREAS, as per R.S. 39-10A-1, the Borough has the authority to take possession of abandoned vehicles and sell them at said auction;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey as follows;

1. The Borough Clerk is hereby authorized and directed to advertise a public sale of abandoned and unclaimed vehicles to be held on October 28, 2009, commencing at 10:00am prevailing time, said sale to be held at Borough Hall Annex, 305 Beechwood Place., Leonia, NJ
2. The Borough reserves the right to reject any and all bids if it determines such rejection to be in the public interest.
3. Said sale shall be in the manner of a public auction in accordance with procedures announce and upon close bidding, the highest bidder as designated by the auctioneer, shall submit a ten (10%) percent deposit with the remaining balance due in cash within two (2) business days.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2009

..... BOROUGH CLERK

- 1996 Nissan Maxima JN1CA21D9TT170306 Junk Title Tumino's Towing
- 1993 VW Passat WVVJD4315PE158755 Junk Title
Tumino's Towing
- 1996 Ford Taurus 1FALP52U9TG310283 Clean Title Hackensack Auto
Body
- 1994 Honda Civic 1HGEG8641RL040949 Clean Title
Hackensack Auto Body
- 2006 Dodge Ram 1D7HU18276S662146 Clean Title Hackensack Auto
Body
- 1996 Honda Passport 4S6CM58V3T4408667 Junk Title
Sano's Towing
- 1995 Toyota Avalon 4T1GB11E1SU039678 Clean Title
Sano's Towing
- 1997 Ford Crown Victoria 2FALP71WXVX135215 Clean Title
Leonia
- 1993 Ford Crown Victoria 2FACP71W9PX190144 Clean Title Leonia
- 2000 MPH Smart Trailer MPH6110024JLPC006 Clean Title

BOROUGH OF LEONIA RESOLUTION

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Raucci						
Heveran						

09-202

DATE: 10/21/2009

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

WHEREAS, there exists various accounts payable on the books of the Current Fund, and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated, and it has been determined that these encumbrances should be canceled.

NOW, THEREFORE, BE IT RESOLVED, that the balance of in the 2009 Accounts Payable In the amount of \$10,908.40 and be and hereby canceled.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON 10/21/2009**

..... **BOROUGH CLERK**

BOROUGH OF LEONIA RESOLUTION

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Raucci						
Heveran						

09-203

DATE: 10/21/2009

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

WHEREAS, there exist various reserves on the balance sheet of the Swim Pool Utility; and

WHEREAS, the funds creating these reserves have been investigated, and it has been determined that these reserves should be canceled

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Leonia, that the following reserves in the amount of \$4,817.61 be and the same are here canceled to Swim Pool Utility Surplus

Swim Pool Salary and Wages	0.33
Swim Pool Other Expenses	3,796.00
Swim Pool Social Security	<u>1,020.39</u>
	4817.61

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2009**

..... **BOROUGH CLERK**

BOROUGH OF LEONIA RESOLUTION

<i>Council</i>	Motion	Second	Yes	No	Abstain	Absent
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Rauci						
Heveran						

09-204

DATE: 10/21/2009

Carried []

Defeated []

Tabled []

Approved on Consent Agenda []

WHEREAS, Anthony and Tara Molina did deposit \$800.00 into an interest bearing developer escrow account in connection to improvement being done at 172 Hillcrest Avenue, Block 206, Lot 7; and

WHEREAS, the project has been completed as evidenced by the attached “Certificate” issued on 10/10/2009; and

WHEREAS, there are no further obligations against this account as all professionals have been paid.

NOW, THEREFORE, BE IT RESOLVED, that a refund in the amount of \$16,00 be made to Anthony and Tara Molina of 172 Hillcrest Avenue.

**THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION WAS ADOPTED
BY THE MAYOR AND COUNCIL ON _____, 2009**

..... **BOROUGH CLERK**