

**MAYOR AND COUNCIL
WORK SESSION/REGULAR MEETING
BOROUGH HALL ANNEX
December 21, 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

Holiday Showcase Winners

6. APPOINTMENTS

7. APPROVAL OF MINUTES

Council Meeting	December 7, 2009
Closed Session	December 7, 2009

8. RESOLUTIONS

09-224 Authorizing Ratifying Resolution to Pay Claims against the 2009 Budget

09-225 Authorizing the Treasurer to Pay Claims against the 2009 Municipal Budget

09-226 Authorizing the Contract with the County of Bergen for Animal Control Services for 2010

09-227 Appointing Risk Manager for 2010 under Non-fair and Open

09-228 Authorizing an Assessment Correction in the Amount of \$184.45

09-229 Accepting the Resignation of Sergeant Carlson

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
Real Estate and Insurance
Borough Administrator
Mayor
Special Bodies

10. INTRODUCTION OF ORDINANCE

Introduction of Ordinance 24-09 entitled:

**AN ORDINANCE AMENDING CHAPTER 80 OF THE CODE OF THE
BOROUGH OF LEONIA ENTITLED ALCOHOLIC BEVERAGES**

A **MOTION** was made by Councilperson _____ seconded by
Councilperson _____ to approve on first reading Ordinance 24-09

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

Introduction of Ordinance 25-09 entitled:

**AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “WEDDING AND CIVIL UNION
CEREMONIES”.**

A **MOTION** was made by Councilperson _____ seconded by
Councilperson _____ to approve on first reading Ordinance 25-09

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

Introduction of Ordinance 26-09 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 26-09

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

11. ADOPTION OF ORDINANCE

Adoption of Ordinance 21-09 entitled:

**AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “CELL TOWERS AND ANTENNAS”.**

Borough Clerk Read by Title

Public Hearing

A MOTION was made by Councilperson _____ seconded by
Councilperson _____ to approve on final reading Ordinance 21-09

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

Adoption of Ordinance 22-09 entitled:

**AN ORDINANCE AMENDING CHAPTER 190 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “PARKING, OFF-STREET”**

Borough Clerk Read by Title

Public Hearing

A MOTION was made by Councilperson _____ seconded by
Councilperson _____ to approve on final reading Ordinance 22-09

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

Adoption of Ordinance 23-09 entitled:

**AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE
BOROUGH OF LEONIA TITLED “BOARDS, COMMITTEES AND
COMMISSIONS”**

Borough Clerk Read by Title

Public Hearing

A MOTION was made by Councilperson _____ seconded by
Councilperson _____ to approve on final reading Ordinance 23-09

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

12. UNFINISHED BUSINESS

a)

13. NEW BUSINESS

a) Shade Tree’s Proposed Ordinance Change (Mayor Heveran)

b)

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 (K)**

Litigation – Yamato/Texaco Property

Personnel – Police (Councilman Raucci)

17. **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
Choi						
Hawkins						
Norgaard						
Puzzo						
Raspa-Gore						
Rauci						
Heveran						

#09-224
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

RESOLVED, that the Mayor and Council hereby ratify the authorization of the Treasurer to pay the following claims and charge the 2009 Budget and/or Reserve Budget.

Borough of Leonia	Payroll (12/04/09)	238,836.26
Borough of Leonia	Social Security (12/04/09)	11,573.61
Borough of Leonia	Payroll (12/18/09)	222,350.64
Borough of Leonia	Social Security (12/18/09)	11,011.85
Borough of Leonia Swim Pool	Payroll (12/04/09)	2,797.62
Borough of Leonia Swim Pool	Social Security (12/04/09)	214.02
Borough of Leonia Swim Pool	Payroll (12/18/09)	2,811.39
Borough of Leonia Swim Pool	Social Security (12/18/09)	215.07
Recreation Activities Trust	Payroll (12/04/09)	1,297.00
Recreation Activities Trust	Payroll (12/18/09)	577.00
	Credit Cards- November Recreation Trust	11.06
Woodforest Natl Bank		155.84
Woodforest Natl Bank	Credit Cards- November Municipal Court	
Mary Heveran	Current Fund	63.50
Pitney Bowes	Postage for Postage Machine	2,000.00
	Total	493,914.86

Ratifying Resolution 12/21/09

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

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

#09-225
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

RESOLVED: that the Mayor and Council hereby authorize the Treasurer to pay the following claims and charge the 2009 Budget and/ or Reserve Budget

Current 2008	8-01	4,649.14
Current 2009	9-01	54,755.74
Capital	C-04	4,880.00
Recreation Activities Trust	T-20	941.40
	<u>Total</u>	<u>\$ 65,226.28</u>

Claims Resolution 12/21/09

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

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

09-226
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

WHEREAS, , it is the recommendation of the Borough Administrator that the Borough of Leonia enter into an agreement with the County of Bergen for services for Animal Control for the year 2010 at an annual fee of \$13,905.84

NOW, THEREFORE, BE IT RESOLVED, that Borough of Leonia hereby enters into an agreement with County of Bergen for Animal Control

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign and the Borough Clerk to attest the agreement with the County of Bergen

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

.....

..... **BOROUGH CLERK**

BOROUGH OF LEONIA RESOLUTION

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

#09-227
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

WHEREAS, the Borough of Leonia is a member of the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the bylaws of said Funds require that each municipality appoint a Risk Management consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the bylaws for the Municipal Excess Liability Joint Insurance Fund and Bergen County Municipal Joint Insurance Fund indicate a minimum fee equal to six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and is included in the assessment for this Fund; and

WHEREAS, the judgmental nature of the Risk Management consultant’s duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Leonia does hereby appoint David J. Voza of The Voza Agency, Inc., Risk Management Consultant in accordance with the Fund’s bylaws for the period of January 1, 2010 to January 1, 2011; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the consultant’s agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1) (a) (I).

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

..... **BOROUGH CLERK**

BOROUGH OF LEONIA RESOLUTION

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

#09-228
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

BE IT RESOLVED, by the Mayor and Council of the Borough of Leonia that the Collector shall be and is hereby authorized to issue a check in the amount of \$184.45 payable to Marilyn Purvin, as a result of an assessment correction for the tax year 2009, on property known as Block 1007, Lot 19, 224 Warwick Lane.

BE IT FURTHER RESOLVED, that the assessment for tax year 2010-2011 is as follows; land \$368,5000, Building \$144,300 for a total assessment of \$512,800

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Tax Collector

APPROVED:

ATTEST:

Mary Heveran, Mayor

Fran Lehmann, Borough Clerk

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

BOROUGH CLERK

BOROUGH OF LEONIA RESOLUTION

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

#09-229
DATE 12/21/2009
Carried
Defeated
Tabled
Approved

WHEREAS, Sergeant Richard Carlson has submitted a request for Retirement from the Borough of Leonia Police Department effective June 1, 2010; and

WHEREAS, the Borough and Sergeant Carlson have come to a mutual agreement per the attached; and

WHEREAS, the CFO has certified that funds are available

WHEREAS, the Mayor and Council hereby accepts Sergeant Carlson's resignation effective July 1, 2010

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to sign the agreement on behalf of the Borough in a format that is approved by the Borough Attorney.

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

BOROUGH CLERK