



## BOROUGH OF LEONIA

### COUNCIL- Work Session Meeting ~ Minutes ~

Trina Lindsey, Borough Clerk

312 Broad Avenue  
Leonia, NJ 07605  
<http://www.leonianj.gov/>

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**September 18, 2023**

**7:30 pm**

**Leonia Senior Center**

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A Regular Meeting of the Mayor and Council of the Borough of Leonia was held in person at the Leonia Senior Center at 305 Beechwood Place, Leonia, NJ, and virtually via GoToMeeting on September 18, 2023. The meeting was called to order at 7:30 by Council President Grandelis.

Those present were led in the Flag Salute by Councilman Fusco.

Council President Grandelis read the following statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. Notice of this meeting by the January 8, 2023 Sunshine Notice containing the time, date, and access information was published in the Record, Star Ledger and has been posted at Borough Hall and on the Borough website."

**PRESENT:** Council President Grandelis, Councilwoman Maureen Davis, Councilman Pasquale Fusco, Councilman Christoph Hesterbrink, Councilwoman Joanne Terrell, and Councilman William Ziegler

**ABSENT:** Mayor Judah Zeigler

**ALSO PRESENT:** Borough Attorney Brian Chewcaskie  
Borough Administrator Andrea Wardrop  
Borough Engineer Drew Di Sessa  
Borough Clerk Trina Lindsey  
Deputy Borough Clerk Jonathan Mandel

#### ***Public Comment***

Jonathan Gordon, 159 Fort Lee Road Apartment C, expressed concern over the rent control ordinance. Mr. Gordon spoke to the Governing Body about what he believes is a violation of the rent control ordinance that is being committed by his landlord. Mr. Gordon expressed concern that there is not a rent leveling board that is responsible for the enforcement of the rent control ordinance.

Lisa Rubenson, 1150 River Road, Edgewater came before the governing body to present her idea for a movie night event.

Council President Grandelis read the following emails from members of the public, requesting that they be read into the record as a public comment:

Jonathan Gordon, 159 Fort Lee Road Apartment C:

“Mr. Greco and Mr. Mandel,

I would like to bring to the mayor and council's attention the following issues, pursuant to an in-person conversation I had earlier today with Mr. Greco - who, by the way, was very helpful.

Since the complex was taken over by a new owner in January, our super has heard from tenants whose leases are being renewed that the landlord is imposing a \$50 per month "utility surcharge" in addition to the rent. A tenant who received a recent renewal also told me this directly. (Their renewal has not yet taken effect.) I should also point out that the owner is already increasing rents the maximum 5% as allowed by the Leonia rent ordinance.

We do not know what the justification is for this surcharge. Heat and hot water are included in our rent. The owner is installing washing machines and dryers and newly-renovated apartments, so perhaps this is the reason. Apartments that are not being vacated are not being renovated, and the rest of us should not have to pay for the utilities of other tenants in renovated apartments.

The Leonia rent ordinance does not address surcharges, except that it defines Base Rent as "The rental amount exclusive of any surcharges, supplemental or ancillary charges or fees." This is the only reference to surcharges in the ordinance.

Another issue is the installation of heat pumps throughout the complex. According to the super, every apartment, whether renovated or not, will get a thermostat and will be disconnected from the central heating system. Some tenants, including me, have window air conditioners; but I assume that a one-zone system will be much more costly to operate for the tenants than window units that can be operated individually. In addition, the tenants would be assuming responsibility for electric heat. The combination would substantially increase monthly utility bills for tenants. I assume the owner would attempt to disconnect tenants from the central heating system as leases come due for renewal, assuming the new infrastructure is in place.

I understand that a landlord cannot change the conditions of a rental during the term of a lease; but my lease is due for renewal December 1, so I expect to receive the renewal notice in October. Another tenant I spoke with has already received their renewal, but it hasn't gone into effect yet. The terms of their new lease include a \$50 per month surcharge.

I plan to attend the mayor and council meeting Monday evening and would greatly appreciate it if these concerns can be discussed.

Sincerely,  
Jonathan Gordon  
159 Fort Lee Rd Apt C  
Leonia NJ”

Jane Barnes, 159A Fort Lee Road:

“Good afternoon,

I'm reaching out to you because I have concerns about some issues regarding my rights as a tenant in Leonia and I wanted to make you aware of what I and the other tenants in the Grand/Lee Apartments are experiencing.

Our complex has a new owner/management company as of February 2023, Cedarwood Management. I just received my lease renewal and for the first time in the 9 years that I have lived here the landlord is charging a \$50 Monthly Utility Fee along with the maximum 5% rent increase. We pay for our own gas and electric and heat and hot water is included in our lease so the landlord should not be charging us for utilities. I contacted the management company and they said that this is a new monthly fee going forward for all tenants renewing their leases. I was told that they have decided to now charge tenants for water and this is what the fee is for.

I am questioning the legalities of this new fee. We never had to pay for water before and \$50 a month for our small apartment seems unreasonably high. Also, the addition of this fee would mean our rent would be going up more than the allowed 5%. I have spoken to several other tenants who are also concerned about whether the landlord can legally do this.

I have also been made aware of a major change that the landlord will be implementing. They have installed heat pumps and plan to place heating/AC units in each apartment so that tenants will have to pay for their heat and hot water going forward. These will be electric units and each apartment will have only one unit and thermostat to control heating and cooling for the entire apartment. This of course will be quite costly and personally I don't know if I can afford this added expense. Many of my fellow tenants are very concerned about this also.

I have attached a copy of my lease renewal along with a section of the Leonia Borough Code regarding rent control which says "The landlord shall be obligated to maintain the same standards of service, maintenance, furniture, fixtures, equipment, appliances and conveniences in or on the premises as were provided or required by law or lease, at the date the lease was originally entered into or during the term of the tenancy." I know there is a Mayor and Council meeting this coming Monday, September 18. Is there any way my concerns could be passed along to the mayor and council prior to the meeting so that they could perhaps look into these issues and address them at the meeting? Unfortunately I will be away this week so I am unable to attend the meeting on Monday.

Thank you for taking the time to read this email. I have lived in Leonia for almost 50 years and have actually lived in the Grand/Lee Apartments three separate times over those years so I am very invested in what is happening to my home.

Kind Regards,

Jane Barnes  
159A Fort Lee Rd.”

Council President Grandelis responded to the public comments relating to rent control, explaining that the Borough Attorney will be asked to research the topic on the legality of the rent increases being proposed by the landlord.

Council President Grandelis thanked Ms. Rubenson for her presentation and stated that he would bring the information to the Borough of Leonia's Senior Coordinator.

Further discussion was held as to the history of the rent control ordinance and its provisions.

The record will reflect that no such comments were entered into the chat window accessible through GoToMeeting nor via the United States Postal Service or Email.

### ***Introduction of Ordinances***

#### ***Ordinance 2023-17 Multi-Purpose Capital Ordinance***

The Borough Clerk read the title of the ordinance into the record:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE AND ALTERNATIVE FUEL AUTOMOTIVE VEHICLES, 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 \$870,000 TO PAY THE COST THEREOF, TO APPROPRIATE BOROUGH TRUST FUND MONEYS, 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.”

Borough Attorney Chewcaskie explained that the ordinance authorizes appropriation of funds for improvements under the capital budget. Borough Administrator Wardrop provided further explanation as to the details of the ordinance and its purpose.

Motion by Councilman Hesterbrink, Second by Councilwoman Terrell that Ordinance 2023-17 be introduced and passed on first reading, and setting October 2, 2023 at 7:30 p.m. or as soon thereafter as the matter can be heard for second reading and adoption.

Councilman Ziegler wished to ensure that while the Borough of Leonia is putting in the full \$44,000 for the Shade Tree Commission, it will be offset by the \$22,000 in the Shade Tree Trust. It was confirmed by the Borough Administrator that the full amount must be appropriated.

Chief Financial Officer Abbassi wished to clarify for the sake of the public that the \$44,000 that is to be spent must be approved first, which is its purpose in being on the Multi-Purpose Capital Ordinance.

On a roll call, the vote was recorded as follows:

Council President Grandelis:	aye	Councilman Hesterbrink:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilman Fusco:	aye	Councilman Ziegler:	aye

**Consent Resolutions****RES. 2023-199 Authorize Bill List**[2023-199\\_Authorize Bill List\\_9.18.23.pdf](#)[2023-199\\_Bill List Backup\\_9.18.23.pdf](#)**RES. 2023-200 Authorize Tax Refund**[2023-200\\_Authorize Tax Refund for Overpayment\\_9.18.23.pdf](#)**RES. 2023-201 GZA Change Order Proposal**[2023-201\\_Change Order No. 1\\_Removal of Drums\\_GZA\\_09.18.2023.pdf](#)**RES. 2023-202 Salary Resolution – Amendment**[2023-202 Salary Resolution Amendment\\_09.18.2023.pdf](#)**RES. 2023-203 Authorize GPC Inc. – Change Order 36**[2023-203\\_Change Orders #36 – New Municipal Building Construction Project\\_9.18.23.pdf](#)**RES. 2023-204 Zimick Electric Proposal – Digital Sign**[2023-204\\_Resolution Zimick Electric Digital Sign Electrical Services\\_09.18.2023.pdf](#)

Motion by Councilwoman Davis, second by Councilwoman Terrell, that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Council President Grandelis:	aye	Councilman Hesterbrink:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilman Fusco:	aye	Councilman Ziegler:	aye

**RES. 2023-199 Authorize Bill List**[2023-199\\_Authorize Bill List\\_9.18.23.pdf](#)[2023-199\\_Bill List Backup\\_9.18.23.pdf](#)

Pulled by Councilwoman Terrell for a separate vote.

Motion by Councilman Hesterbrink, second by Councilwoman Davis, that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Council President Grandelis:	aye	Councilman Hesterbrink:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	abstain
Councilman Fusco:	aye	Councilman Ziegler:	aye

**RES. 2023-201 GZA Change Order Proposal**

2023-201\_Change Order No. 1\_Removal of Drums\_GZA\_09.18.2023.pdf

Pulled by Councilman Ziegler for further discussion.

Councilman Ziegler questioned as to the validity of the charge, stating his recollection that the \$1,700 charge being asked for in this change order was meant to be covered under the initial proposal. The initial proposal in the amount of \$49,900 that was funded specified that the disposal of up to 10 drums is included as part of the scope of the project.

Borough Administrator Wardrop is currently in communication with GZA to receive some clarification as to this charge before the Governing Body approving it.

Motion by Councilman Ziegler, Second by Councilman Fusco, that RES. 2023-201 be tabled.

On a roll call, the vote on the tabling of RES. 2023-201 was recorded as follows:

Council President Grandelis:	aye	Councilman Hesterbrink:	aye
Councilwoman Davis:	aye	Councilwoman Terrell:	aye
Councilman Fusco:	aye	Councilman Ziegler:	aye

***Unfinished Business*****Federal TAP Grant Broad Avenue Project Update – McCormick Taylor – Andrea Wardrop/Drew Di Sessa**

Borough Administrator Wardrop explained that the Mayor and Council will be provided with an updated proposal for the Federal TAP Grant Broad Avenue Project. The proposal was received and Vittorio Anepete from McCormick Taylor was asked to provide an update to the Governing Body as to the project.

McCormick Taylor representative Vittorio Anepete presented an update as to the project and the various items to be completed before the authorization of the project. The updated proposal has the same scope as the previously approved one but updated for today's salaries and overhead rates. Through the design assistance program, the creation of the plans is reimbursable.

Borough Administrator Wardrop requested a timetable for the project. Representative Anepete replied that these types of projects are not overly complex but most of the time spent is through the federal process going from phase to phase. It is expected that the authorization shall be received within 2-3 months. Sometime in November-December will be the final authorization. It is expected that the project shall go to construction in Fall 2024 at best, more likely Spring 2025.

Councilman Hesterbrink questioned as to if the project was related to Broad Avenue Section 11, to which the Borough Administrator explained that Broad Avenue Section 11 is a separate project. Section 12 shall cover the portions of Broad Avenue not covered by Section 11. Section 11 is underway and a public information session was held on the project.

Councilman Ziegler questioned as to whether the Section 11 project would be completed until the Federal TAP grant work was completed as well. Borough Administrator Wardrop stated that the project in its entirety is not complete until the overlay of the TAP Grant is finished. Milling, Paving, ADA improvements, and other features are being done now as the Section 11 project.

Borough Engineer Di Sessa provided further explanation as to the Section 11 and Section 12 projects, as well as their relation to the Federal TAP Grant project. The Federal TAP Grant will not create as much of a disturbance as the Section projects as there will not be the need to mill and pave the roads again.

Councilman Ziegler wished to make it clear to the public that alongside the milling and paving of the Section 11 project, there will be the painting of streets and the introduction of reverse-angled parking in anticipation of the overlay work to be done with the Federal TAP Grant.

Councilman Ziegler asked how much would the project cost for the second phase of work. Representative Anepete responded that he would find the information and would share it once he had acquired it. Councilman Ziegler requested that this information be provided to the Governing Body so that it may be shared with the constituents of Leonia.

Councilman Ziegler questioned as to what salary adjustment was used to calculate for inflation. Representative Anepete replied that it is based upon the approved rates from the Department of Transportation as well as the approved overhead. Councilman Ziegler requested that these numbers be provided to the entire Mayor and Council as well.

Councilwoman Davis requested clarification that there will be sections that will be milled and paved alongside Broad Avenue and that there will be no sections left unfinished in anticipation of the TAP Grant. Borough Administrator Wardrop stated that Section 12 will most likely occur during the Spring of 2024. There will be no work that will be left undone, only that certain items such as green bike lanes will come later as part of the TAP Grant.

Council President Grandelis requested that the Borough Administrator and Borough Engineer work closely together and keep the Mayor and Council apprised of any developments with the project.

### ***New Business***

#### **Budget Workshop Date – Andrea Wardrop**

Borough Administrator Wardrop wished to ask the Governing Body if they would be in favor of scheduling the Budget Workshop for December 9, 2023 in the morning. The proposed time would be to begin at 8:00 AM and end no later than 2:00 PM.

The Council was in favor of moving forward with the December 9, 2023 date but asked that the mayor be apprised as well for his input.

#### **Deer Population Drone Study Discussion – Andrea Wardrop**

Borough Administrator Wardrop presented information from Health Officer Jim Fedorko as to a drone study being performed by the City of Englewood and Teaneck Township to provide

Bergen County with data as to the deer population within the region. Health Officer Fedorko stated that Bergen County up to this point has not listened to the concerns of residents caused by the rising deer population. Health Officer Fedorko is in favor of the drone study and feels that it would be a positive project as there are several concerns due to accidents caused by deer and tick born illnesses. The cost to the Borough of Leonia to participate in this study would be \$2,500 and the company conducting the study is Steward Green.

Borough Administrator Wardrop did her research into the topic and found that other municipalities have deer-related ordinances, which is perhaps something the Borough of Leonia would wish to discuss at the Law and Ordinances Committee level.

Councilman Fusco questioned as to whether these studies have proven to be effective in other municipalities. Borough Administrator Wardrop stated that other studies have been successful and have given information to municipalities for them to make decisions with.

Councilman Hesterbrink stated that the deer population issue has been an active problem since at least 1995. Sterilization efforts and other initiatives have not worked in the past, which leads Councilman Hesterbrink to be skeptical as to what value the study would provide.

Councilman Ziegler made the statement that the deer population is a regional problem and if it is to be solved it must be a county-wide effort. Councilman Ziegler believes that the attention of the County of Bergen must be achieved and if the problem is not taken from that angle not much progress will be made. A study on its own will not provide much value to the Borough of Leonia.

Council President Grandelis agrees with Councilman Hesterbrink and Councilman Ziegler.

Councilwoman Terrell stated that she wishes for the individual proposing the study to come to the next Work Session of the Mayor and Council and believes that as the study is being conducted by a group of municipalities it should not be dismissed out of hand.

Borough Administrator Wardrop stated that Health Official Fedorko would be happy to attend a meeting in October to present it to the Mayor and Council.

Borough Attorney Chewcaskie voiced his opinion that he does not see the purpose of the study as everyone is aware of the deer population issue at hand.

Council President Grandelis stated that he agrees that he does not see the point of the study but would bring it forward to the Board of Health.

Councilman Ziegler stated he believes that time is better spent getting the attention of Bergen County. Perhaps a resolution could be passed by the Governing Body or a letter drafted by the mayor to garner the attention of the County.

Councilwoman Davis stated that she would like to see the statistics as to the health impact of the deer relating to tick-related diseases.

Councilwoman Terrell stated that there is an ordinance in the Code of the Borough of Leonia relating to deer already.



***Closed Session*****RES. 2023-205 Authorize Closed Session**

BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Leonia entered into Closed Executive Session to discuss the following matters:

A. Affordable Housing

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene to adjourn this meeting.

There being no further business to come before the Council, on a motion from Councilwoman Terrell, seconded by Councilwoman Davis, and all present voting in favor, the meeting was adjourned to the Closed Executive Session at 8:47 p.m.

***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Terrell, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Jonathan Mandel,  
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