



BOROUGH OF LEONIA

COUNCIL- Regular Meeting  
~ Minutes ~

Trina Lindsey, Borough Clerk

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

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**October 2, 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 October 2, 2023. The meeting was called to order at 7:30 pm by Mayor Zeigler.

Those present were led in the Flag Salute by Council President Grandelis.

Mayor Zeigler 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: Mayor Judah Zeigler, Council President Grandelis, Councilwoman Maureen Davis, Councilman Pasquale Fusco, Councilman Christoph Hesterbrink, Councilwoman Joanne Terrell and Councilman William Ziegler

ABSENT: None

ALSO PRESENT: Borough Attorney Brian Chewcaskie  
Borough Administrator Andrea Wardrop  
Borough Engineer Drew Di Sessa  
Chief Financial Officer Issa Abbasi  
Borough Clerk Trina Lindsey  
Deputy Borough Clerk Jonathan Mandel

***Public Comment***

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.

***Appointments*****RES. 2023-206 Authorize Appointment of Firefighter**

Motion by Council President Grandelis, second by Councilman Fusco, that Resolution #2023-206 be approved.

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

***Approval of Minutes***

Motion by Councilwoman Terrell, second by Councilman Fusco, and all members present voting in favor, that the Minutes of July 10, 2023 Regular Meeting were approved.

Motion by Councilwoman Terrell, second by Council President Grandelis, and all members present voting in favor, with Councilwoman Davis abstaining, that the Minutes of July 24, 2023 Work Session Meeting were approved.

Motion by Councilwoman Terrell, second by Councilman Fusco, and all members present voting in favor, that the Minutes of August 7, 2023 Regular Meeting were approved.

***Reports*****Council President Grandelis****Fire Department**

Met on September 26, 2023 and shall meet next on October 19, 2023.

In the month of September, the Leonia Fire Department responded to 20 alarms, a detailed analysis shall be provided in November.

Current items of discussion include the 2023 Capital Budget, Planning for the 2024 Budget, JIF Certifications and Training, etc.

Councilman Ziegler questioned whether there was a recommendation by the Fire Committee as to what to do with space by the Fireman's Memorial Way. Council President Grandelis replied that there is a concept and idea but the Fire Committee is not yet in accord on the specifics and cost. Council President Grandelis shall bring it forward as an item of discussion at the October 16, 2023 Work Session of the Leonia Mayor and Council.

**Recreation**

Met on September 19, 2023 and shall meet next on October 17, 2023.

Construction on the Senior Center Bathroom is officially underway.

Halloween Treat Street will take place on October 18, 2023 with the Mayor and Council being invited to participate and hand out candy.

Registration for the Turkey Trot 5K will be opening soon.

Winter Basketball League begins this month with pre-season clinics. The CVS Flu Vaccine clinic will take place in the Recreation Center.

The Recreation Department is applying for the NJ Transit 5310 Grant.

#### Finance & Human Resources Committee

Met on September 19, 2023 and will meet again on October 10, 2023.

Items of discussion include Capital Funds, General Ledger, and the conversion of the Payroll System.

Capital Budget was an important focus in the prior month.

#### EMS

EMS numbers will be presented as part of the next EMS report.

#### Board of Health

The Board of Health met on September 18, 2023.

Council President Grandelis highlighted some of the various items completed and programs organized by Health Educator Jamie Sclafane.

Council President Grandelis spoke as to upcoming Flu Clinics and events to be sponsored by the Board of Health.

### **Councilwoman Davis**

#### Police Department

Please see below for the September 2023 Police Committee Report

[September 2023 Police Committee Report](#)

### **Councilman Fusco**

#### Department of Public Works

Please see attached the Department of Public Works Monthly Report of September 2023

[September 2023 Department of Public Works Report](#)

### Building Department

Please see attached the September 2023 Construction Permit Activity Report and the Cash Receipts Audit Report

[September 2023 Construction Permit Activity Report](#)

[September 2023 Cash Receipts Audit Report](#)

### Planning Board

The Planning Board did not meet due to a lack of complete applications.

The Planning Board has recommended that the Redevelopment Plan be sent to the Mayor and Council for review.

### **Councilman Hesterbrink**

#### Library

The Library Board met on September 13, 2023.

The Library Board has been able to save a lot of money on energy costs through the newly installed doors.

ESL Programs have been performing well.

There has been a continuous trend towards the use of digital media over physical.

Interviews for a new Library director are underway.

#### Historical Preservation Commission

The Historical Preservation Commission met on September 11, 2023.

A question was held as to how historical items could be implemented within the new municipal building.

### **Councilwoman Terrell**

#### Board of Education

The Board of Education met on September 5, 2023 and September 19, 2023.

The newly appointed Superintendent of Schools Brian Gatens was in attendance at the meetings of the Board of Education.

#### Laws and Ordinances Committee

The Law and Ordinances Committee was not able to meet in September.

The Borough Attorney is drafting an ordinance concerning getting more parking available in municipal public lots for Borough residents.

### Welcome Committee

The Welcome Committee sent out over a hundred welcome emails to new residents of Leonia to assist them in becoming acclimated.

### **Councilman Ziegler**

#### Environmental Commission

The Environmental Commission met on September 5, 2023 with their next meeting scheduled for October 2, 2023.

#### Shade Tree Commission

There was a wonderful partnership between the Shade Tree Commission and the Planning Board. At the request of Councilman Ziegler, the Shade Tree Commission invited Planning Board Chair Michael DeGidio to their meeting and had a productive discussion on the planting of trees on various sites within the borough. One such location is the substation PSE&G owns on Willow Tree Road. The substation was scheduled to have significant work performed on it and the Planning Board made suggestions to PSE&G to plant trees and improve the landscape. While initially resistant, PSE&G agreed and the substation area has been greatly improved. Councilman Ziegler thanked Chair DeGidio and the Planning Board for their efforts.

#### Facilities Committee

At the last Facilities Committee meeting it was pleasing to hear that the New Municipal Center project is on schedule and continues to run substantially under budget. Various items such as windows and doors have been installed and completed. There was a hiccup concerning metal panels on the side of the building facing the library, with these panels being delayed due to supply chain issues and problems with the technical schematics not aligning. Construction is projected to be complete in mid-December. Councilman Ziegler wished to highlight that the panels are a cosmetic feature that does not affect the functionality of the building.

Due to rain, site plan work was delayed and should begin within the week. The Chief of Police found a slight issue with a crosswalk that was corrected.

Automated External Defibrillators will be placed on every floor.

### **Borough Administrator's Report**

Please see the Borough Administrator's Report for September 2023.

[Borough Administrator Report – September 2023](#)

Councilman Ziegler inquired as to how much time the interns are allowed to provide to the Borough of Leonia. Borough Administrator Wardrop replied that they are permitted to spend an entire school day on Fridays performing their internship duties along with a few additional external dates.

### **Borough Attorney's Report**

License agreements were circulated to particular borough properties.

The Law and Ordinances Committee is finalizing a revised parking ordinance.

### **Borough Engineer's Report**

Borough Engineer Di Sessa provided an update as to the work that is being performed on the Broad Avenue Section 11 project. The Engineer is working with Veolia to minimize any effect that the project would have on businesses and residents related to a mandatory water valve shutdown.

Councilman Ziegler questioned whether the amount of rain that has occurred would compromise the quality of the concrete that has been poured. Borough Engineer Di Sessa replied that he had not seen any damage sustained due to the rain but would review it again during the final inspection.

Councilwoman Terrell questioned if the large amount of water seen through the rain storm affected the Methodist Church basin. Borough Engineer Di Sessa explained that nothing was reported during or after the rain and the DPW Superintendent did not receive any complaints.

### **Adoption of Ordinances**

#### **Ordinance 2023-17**

The Deputy 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 Administrator Wardrop explained the purpose of the ordinance.

Let the record show that no members of the public came forward for the public comment portion of the adoption of ordinance 2023-17.

Council President Grandelis motioned that ordinance 2023-17 be adopted on second reading. Seconded by Councilman Ziegler.

Councilman Ziegler took a moment to remind the public that while funds are being appropriated in the amount of \$870,000 through this capital ordinance, \$250,000 is a grant to come back to the Borough to fund the Leonia Senior Electric Bus. The full amount must be appropriated up front which is why it is included in the 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

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

#### **Ordinance 2023-18**

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

“ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(a) FOR THE PAYMENT OF THE PREPARATION OF A REVISED AND UPDATED APPROVED DIGITAL TAX MAP OF THE BOROUGH OF LEONIA, COUNTY OF BERGEN, NEW JERSEY”

Borough Administrator Wardrop spoke as to the need for a digitized updated tax map, with the last update being performed in 2007. Tax Assessor Tim Henderson has advised that with the impending revaluation ordered by Bergen County, the tap maps must be redone. The Borough of Leonia is allowed to spread the cost of the proposal from Pennoni Associates over a period of 5 years.

Chief Financial Officer Abbasi explained what a special emergency appropriation is and what items qualify under it, with one such item being the preparation of an updated tax map. The benefit of spreading the cost of the project over a longer period is that residents of the Borough of Leonia do not need to fund a singular lump sum all at once.

Borough Attorney Chewcaskie explained that as part of the revaluation process, the first required step is to update the tax maps and have them approved by the Division of Taxation.

Motion by Councilman Ziegler, Second by Councilwoman Terrell that ordinance 2023-18 be introduced and passed on first reading, and setting October 16, 2023 at 7:30 p.m. or as soon thereafter as the matter can be heard for second reading and adoption.

Councilman Hesterbrink questioned whether the tax map was within the budget and if competitive bids were put out for the project.

Borough Administrator Wardrop explained that it was initially part of the capital budget but was taken out to allow for the benefit of spreading the expense out over a period of 5 years.

Chief Financial Officer Abbasi provided further explanation as to the process and benefit of making the tax maps an emergency expense.

Borough Attorney Chewcaskie explained that the service required for the preparation of a tax map is a specialized service but few companies perform it. Competitive pricing is being sought through RFPs.

Councilwoman Davis reiterated the point that the project was initially part of the capital budget but was removed as it was beneficial financially and prevented unnecessary interest.

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

### ***Non-Consent Resolutions***

#### **RES. 2023-207 Authorization for Financial Consultant Services**

Chief Financial Officer Abbasi explained the benefits that would be provided through the utilization of the service that is being requested through RES. 2023-207. This service will provide CFO Abbasi with the tools necessary to wrap up and resolve the various issues faced by the Borough of Leonia financially post-audit.

Motion by Councilwoman Terrell, second by Council President Grandelis, that Resolution #2023-207 be approved.

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. 2023-208 Authorize Bill List**

[2023-208\\_Authorize Bill List\\_10.02.23.pdf](#)

#### **RES. 2023-209 Authorization to Advertise for Temporary DPW Laborer**

[2023-209\\_Authorize to Advertise for DPW Temporary PT Laborer\\_10.02.2023.pdf](#)

#### **RES. 2023-210 Authorization to Advertise for Basketball Attendant**

[2023-210\\_Authorize to Advertise for Seasonal Basketball Attendant\\_10.02.23.pdf](#)

#### **RES. 2023-211 Authorize Transfer of Tasers to Ridgefield Police Department**

[2023-211\\_Authorize Transfer for Tasers to Ridgefield Police Department\\_10.02.23.pdf](#)



**RES. 2023-212 Authorize Automatic External Defibrillators for the New Municipal Center**

[2023-212\\_Authorize Automatic External Defibrillators for the New Municipal Center\\_10.02.23.pdf](#)

**RES. 2023-213 Authorize Design Engineering Services for the Borough of Leonia for the Leonia Complete Streets Improvement Project**

[2023-213\\_McCormick Taylor Final Design Engineering & Construction Engineering Proposal\\_10.02.23.pdf](#)

**RES. 2023-214 Authorize Liquor License Transfer**

[2023-214\\_APPROVING PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE NO. 0229-44-004-002 FROM BROAD BEVERAGES INC. TO CHEERS & COMPANY, LLC\\_08.21.2023.pdf](#)

**RES. 2023-215 Authorize Cancellation and Refund of Taxes for 2023 Disabled Veteran Exemption**

[2023-215\\_Authorize Refund for Tax Exempt Veteran\\_10.02.23.pdf](#)

Motion by Councilwoman Terrell, second by Councilwoman Davis, that the Consent Agenda

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

***Unfinished Business***

**New Municipal Center Exterior Signage – Bill Ziegler**

Councilman Ziegler explained to the Mayor and Council and public the desire of the Facilities Committee to share how the signage of the New Municipal Center will look. Councilman Ziegler encouraged members of the public to visit the Borough of Leonia’s website to see the mockup digitally.

Mayor Zeigler raised the concern that the signage may be somewhat difficult for members of the public to read.

Councilman Ziegler raised the idea that cheap lighting could be placed to help highlight the signage.

Further discussion was held as to the signage.

***New Business***

**One Meeting in November and December – Councilwoman Terrell**

Councilwoman Terrell and Council President Grandelis spoke as to the potentiality of having only one Mayor and Council Meeting in November and December.

Mayor Zeigler did not object to the idea as long as the members of the Governing Body were flexible in their ability to meet should it be required.

Councilman Ziegler stated that to have the best chance to have a meeting within the New Municipal Center the second meeting in December should be kept.

It was decided to cancel the first scheduled meeting of both November and December.

### **Public Comment**

Jonathan Gordon, 150 Fort Lee Road Apartment C, asked if there was an update regarding issues he had raised prior relating to rent control. Mr. Gordon mentioned on September 21, 2023 he had submitted another email.

Philip Choi, 340 Willow Court, Englewood Cliffs on behalf of his Father and Mother, the proprietors of Manor Beverage, wished to thank the community for all the love and support shown to his family over the years. Mr. Choi mentioned that he and his family are extremely humbled to serve the community and will continue to do so after his father has retired. The Borough of Leonia and its residents were thanked for the many years of supporting the business and his family.

Mayor Zeigler replied to Mr. Choi, stating that his parents and family have been a staple of the community and are interwoven in its fabric. Mayor Zeigler asked that best wishes be extended to Mr. Choi's parents as they enter their retirement.

Mayor Zeigler read into the record a letter from Mr. Jonathan Gordon, 150 Fort Lee Road Apartment C:

"Earlier this afternoon I gave a copy of the attached lease renewal in person to Jonathan Mandel, who was very helpful. I received it on 9/19/23, subsequent to Monday's council meeting, during which I made a public comment. I want to follow up with this email of explanation, which I intend as an amendment to my 9/15/23 email that was read into the record during Monday's council meeting.

I would greatly appreciate it if this email and the attachment are given to the mayor and council and borough attorney as soon as possible. This matter is time-sensitive, as my lease comes due for renewal effective December 1, and at least one neighbor whom I know about is due sooner.

The lease is not in compliance with the Leonia rent ordinance in the following ways:

1. It does not show how the new rent was calculated, including the CPI calculation, in accordance with §220-2(c)1, "Notification of rental increase." Therefore, it's not clear whether the new rent amount is in compliance with the rest of §220-2.
2. The renewal includes a \$50 per month utility surcharge. I question the legality of this, and I contend that this amounts to rent, which would put the new rent amount over the 5% cap (or the CPI calculation, whichever is less). I believe it is the equivalent of additional rent because the tenant is required to pay it as a condition of continued tenancy. It may also cover water or other utilities of other tenants - for

example, those who move into newly-renovated apartments that include washers and dryers. The rest of us should not have to subsidize other tenants. The surcharge is new; we have not been assessed any surcharges in the past. In addition, the landlord could presumably decide to increase the surcharge at the next renewal, resulting in a rent that is even more in excess of the 5% cap (or the CPI calculation, whichever is less).

1. Incidentally (or not), another tenant whose renewal was in July, well after the new owner took over, told me she was not assessed any surcharge.
3. §220-7, "Interpretation," states that, "This chapter, being necessary for the welfare of the Borough and its inhabitants, **SHALL BE LIBERALLY CONSTRUED** to effectuate the purposes thereof." [Bold and caps are mine.]

Although I have considered consulting a private attorney, I believe that the Borough is ultimately responsible for enforcing the rent ordinance in the best interest of tenants, in which case I should not have to use personal funds in furtherance of this goal.

I would greatly appreciate it if I could be apprised of any developments, including any determinations made by the council or borough attorney.

Thank you again for all your assistance."

Borough Attorney Chewcaskie responded, stating that he is drafting a letter to the landlord stating that the actions are contrary to the Borough of Leonia's rent control ordinance.

Mayor Zeigler noted that the Borough of Leonia will not be acting as any individual's attorney for rent disputes.

Councilman Ziegler stated his understanding of the ordinance, to which the Borough Attorney confirmed it was correct. When the ordinance was revised, some provisions were included to prevent the actions of landlords trying to add additional charges for services previously provided.

Borough Attorney Chewcaskie provided a further explanation as to the ordinance.

### ***Closed Session***

#### **RES. 2023-216 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. Negotiations
- B. Personnel

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 Council President Grandelis, seconded by Councilwoman Terrell, and all present voting in favor, the meeting was adjourned to the Closed Executive Session at 8:50 p.m.

***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman Ziegler, second by Councilwoman Davis, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Jonathan Mandel,  
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