

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

Tuesday, January 29, 2013

The meeting was called to order at 7:01 P.M. with the reading of the Open Public Meetings Act statement by Mayor Rustin, "In compliance with the Open Public Meetings Act P.L. 1975, chapter 231, the notice requirements have been satisfied. Meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the lobby of the Municipal Center, published in the Record within the first 10 days of the New Year, and copies are sent to the Suburbanite and Northern Valley Press. Notice of this meeting by the January 25, 2013 Sunshine Notice has been sent to the Record, the Suburbanite, and Northern Valley Press and has been posted on the public bulletin board in the lobby of the Municipal Center."

Present: Mayor Peter S. Rustin
Council members: Anthony Barzelatto, Barry Honig, Martha Kerge,
Nadia LaMastra, Jon Warms, and Mark Zinna

Borough Administrator: Jewel Thompson-Chin
Borough Attorney: William R. McClure, Esq.

Absent: None.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-68.

BE IT RESOLVED in compliance with NJSA 10:4-12, the Mayor and Council of the Borough of Tenafly are going into Closed Executive Session to discuss the following matters:

- A. Personnel
 - 1. Overview of Promotional Goals and Objectives of Police Chief

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 in the Richard D. Wilson Committee Room to resume the Committee of the Whole meeting.

On a motion from C. LaMastra, seconded by C. Kerge, and all present voting in favor, the meeting was recessed to the Closed Session in the Committee Room at 7:02 p.m.

The Committee of the Whole Meeting resumed at 7:36 p.m.

TO BE CONSIDERED

Extension of Suspension of "Permit Parking"

Mrs. Thompson-Chin noted that Council had suspended the requirement of having a permit to park in the downtown lots after 10 a.m. during the holiday season. Council decided to extend the suspension indefinitely. C. LaMastra advised that the parking subcommittee of the BID would like to present recommendations to the Council. Council decided to consider the recommendations at the February 5th Work Session.

Participation by Telephone Policy

Mayor Rustin commented that over the years Councilmembers who were unable to attend certain meetings have been allowed to participate by telephone; however, there have been issues regarding connectivity. Due to poor connections, people have to keep repeating statements or questions, which affects the content of the discussion. C. Honig stated that the telecommunications need to be modernized as we are living in an age where people use Skype. C. Warms noted that teleconferencing is becoming more common, but the Borough's current equipment does not work well. The consensus among Council was to permit teleconferencing via phone for open session meetings, but not for closed session meetings

and that it is responsibility of the person calling in to ensure that there is a clear connection. Mayor Rustin directed the Borough Attorney to prepare a policy outlining Council's decision. C. Warms advised that he will have the IT subcommittee speak with the Board of Education to discuss technological upgrades.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin provided Council with an outline of the specific portions of the budget that will be reviewed during the budget hearings in February. With regards to generators, while permits have been issued for 338 newly built in generators over the last 2 years, the Construction Official mentioned some homes are having generators installed as part of the construction. This has occurred in about 4 to 5 homes, but it is expected that trend will continue. She advised that the Municipal Open Space Trust Fund has \$2.1 million from collections and that collections will resume July 2014.

CORRESPONDENCE

G. Lyons RE: Request for POD
Mayor Rustin informed Council that he spoke with the Construction Official regarding this request and a POD has been on site since April 2012, the home owners placed it in the right-of-way and have not applied for any permits for the renovation of the house. Council decided that the resident can have the POD for 3 months, but it must be immediately removed from the right-of-way. If construction has not started by the end of the 3 months, the POD must be removed immediately. If construction has begun, then the POD can remain for another 3 months. The Borough Clerk will advise the resident.

American Cancer Society RE: 26th Annual GWB Challenge
Council supported the request and directed the Borough Clerk to advise the American Cancer Society that they are required to supply the Police Department with the route as soon as possible because it needs to be approved by the Police Department.

E. Kollitides RE: Building Department
Council discussed Mr. Kollitides e-mail. The Borough Clerk was directed to thank him for the letter and advise him that his comments will be taken under advisement.

NJLM RE: Revised OPMA Bill Introduced
Mayor Rustin advised that he emailed Senator Weinberg, Assemblyman Johnson, and Assemblywoman Huttel opposing the revised OPMA bill. Council directed the Borough Clerk to write a letter to the District 37 Legislators expressing their opposition to the revised bill.

RESOLUTIONS for meeting of January 29, 2013:

- A. Approve Expenditures as of January 23, 2013
- B. Amend 2013 Meeting Schedule – Add 2013 Municipal Budget Hearing Meetings
- C. Support the Adoption of a Strong Anti-Idling Policy
- D. Support Program to Achieve Sustainable Jersey Silver Certification
- E. Authorize Tree Escrow Refund – Chen
- F. Authorize Escrow Refund – New Construction and Soil Moving – C. Jon Construction, Co.
- G. Authorize Tree Mitigation Escrow Refund - Rafferty
- H. Authorize Escrow Refund – New Construction and Soil Moving – Dogwood Estates
- I. Authorize Issuance of Purchase Order – Parent Door Hardware
- J. Authorize Expenditure from Affordable Housing Trust Fund – Burgis Associates, Inc.
- K. Authorize Expenditure from Affordable Housing Trust Fund – Sokol, Behot, & Fiorenzo
- L. Authorize Tree Mitigation Escrow Refund - Schutzer
- M. Approve Raffle Applications RA 1034 & RA 1035
- N. Authorize Recreation Program Refunds - Various
- O. Award Contract – Sport Tech Construction Corp. – Improvements to Tennis Courts at Roosevelt Commons
- P. Award Contract – D'Arminio & Sons – Improvements to Tenafly Road Basketball Courts
- Q. Award Contract – Green Mountain Pipeline Services – Tenafly Road Sanitary Sewer Lining Project
- R. Authorize Street Opening Bond Refunds - Various
- S. Appoint Tax Collector – C. Anne Doyle
- T. Appoint Police Chief – Robert Chamberlain

Council decided to remove the last two resolutions from the Consent Agenda and read them into the record under New Business as these resolutions involve the appointment of personnel.

PUBLIC HEARINGS:

- Ordinances:
- ORDINANCE NO. 13-01 - AN ORDINANCE TO FIX THE SALARY, WAGE, OR COMPENSATION OF CERTAIN MANAGEMENT, ADMINISTRATIVE, LIBRARY, CIVILIAN DISPATCHERS, AND PART TIME EMPLOYEES OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, FOR THE CALENDAR YEARS 2011, 2012 & 2013.

 - ORDINANCE NO. 13-02 - AN ORDINANCE TO FIX THE SALARY, WAGE, OR COMPENSATION OF CERTAIN SUPERVISORY AND ADMINISTRATIVE EMPLOYEES OF THE BOROUGH OF TENAFLY REPRESENTED BY OPEIU LOCAL 32, FOR THE CALENDAR YEARS 2012 AND 2013.

 - ORDINANCE NO. 13-03 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE TENAFLY ADMINISTRATIVE EMPLOYEES BARGAINING UNIT FOR THE CALENDAR YEARS 2011, 2012, AND 2013

 - ORDINANCE NO. 13-04 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS REPRESENTED BY THE TENAFLY PUBLIC WORKS SUPERVISORS BARGAINING UNIT FOR THE CALENDAR YEARS 2011, 2012, AND 2013

 - ORDINANCE NO. 13-05 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS REPRESENTED BY LOCAL 342, LONG ISLAND PUBLIC EMPLOYEES, UNITED MARINE DIVISION, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO FOR THE CALENDAR YEARS 2011, 2012, AND 2013

 - ORDINANCE NO. 13-06 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE SCHOOL CROSSING GUARDS OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE CALENDAR YEARS 2011, 2012, AND 2013

- Minutes** to be approved:
- 2012 Recess Meeting – January 6, 2013
 - 2013 Reorganization Meeting – January 6, 2013
 - January 8, 2013 Closed Session
 - January 15, 2013 Closed Session
 - January 22, 2013 Special Work Session
 - January 22, 2013 Closed Session
 - January 23, 2013 Special Meeting
 - January 23, 2013 Closed Session

There were no comments on the ordinances or minutes.

FOR THE GOOD OF THE ORDER

None.

OLD BUSINESS

2012 BID Election

C. LaMastra advised that Robin Brown, Carol Geisenheimer, and Jarret Quirk were appointed to the BID as a result of the election. The Borough Clerk certified the results. There was a 3 way tie for the remaining 2 seats, but Norman Dorf has resigned from the BID. She will provide a full report under Committee Reports.

ADJOURNMENT:

As there was no further business to come before the Council, there was a motion by C. Kerge, seconded by C. Honig, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Lisette Aportela-Hernandez, MPA, RMC
Borough Clerk