

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, NOVEMBER 10, 2015

At 7:34 p.m. Mayor Rustin read the Open Public Meetings Act Statement: "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."

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Maxim Basch, Daniel Park, Paul Stefanowicz, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Councilmember Nadia LaMastra

TO BE CONSIDERED

2016 Meeting Schedule/Recess & Reorganization Meeting

The draft 2016 meeting schedule was reviewed and will be formally approved at the Reorganization Meeting. The Recess Meeting will be held on Saturday, January 2nd at 12pm, with the Reorganization Meeting to follow at 1:00pm.

Zoning Permits – Ordinance Review

Mayor Rustin explained that the review of the ordinance concerning zoning permits arose when a resident received a violation for resurfacing the driveway. Individual case is not under Council's jurisdiction. C. Basch commented that the resurfacing of a driveway should not be an issue that would require a zoning permit. C. Zinna noted that in defining the parameters for what constitutes resurfacing, uncertainty is being created for residents to determine when a permit is needed since there can be too many scenarios.

Mr. McClure highlighted that alteration is defined in the code as any change addition or modification of a building or structure. Structure has pavement and driveways in its definition. Mr. McClure recommended keeping the code the way it is as the permit application provides the opportunity for the extra set of independent eyes. By having the zoning officer review the application before the work is done, it provides the Borough with an important safeguard.

Construction Official/Zoning Official, Mr. Byrnes explained how the permit process provides a basis to start an evaluation, which cannot be determined after the fact. He clarified that surveys are only required for driveway expansion. He described instances of when residents have provided pictures with their applications and how he has taken measurements before any work is done.

The consensus among the majority of Council was not to move forward with any changes to the requirement of a zoning permit.

Dissolving the BID

Mayor Rustin advised that the decision regarding the BID should be made in 2 separate parts. First, it should be determined whether to dissolve the BID and secondly, it needs to be determined what is to be done with the remaining funds, if it is dissolved. The concept of what to do with the downtown is a topic to be discussed in the new year.

Mr. McClure advised that if Council wished to dissolve the BID, it would need to be done so by ordinance and that the safest thing to do is return the remaining funds to those who have paid into it. The decision of what to do with the money is part of the dissolving process. If the BID doesn't dispose of it, then the funds have to go back.

The CFO, Mrs. Corrado advised that she will need to evaluate the assessment and collection rate. C. Barzelatto inquired if funds can be donated for the Sgt. Oresko monument and park beautification. The BID's charter does permit the funds to be expended to charitable donations.

The BID members that were present were advised that the group must formally adopt a resolution on how to spend the funds before the governing body can proceed with the dissolution of the organization.

ADMINISTRATOR'S REPORT

Mrs. Corrado reported that the bond sale went smoothly and met all the requirements of the Local Finance Board. She highlighted that the sale will result in a decrease in the Borough's debt.

With regards to bonds, Mrs. Thompson-Chin reported that there were 7 respondents to the Request for Proposals for bond counsel. For the next meeting, she will prepare a comparative spreadsheet of the respondents and would like to interview at least 2 to 3 firms.

Mrs. Thompson-Chin reviewed the 2016 budget schedule, in which departmental reviews will be held in mid-December. The statutory dates for submission to the governing body, as well as introduction and adoption have been extended by the state over the past several years. In reference to the senior van, Mrs. Thompson-Chin confirmed that the expenditure of the vehicle would need to be an operating expense and that a senior transportation program includes the storage of the vehicle, the costs associated with a driver, and a schedule as well. Council determined to have a discussion on budgeting on this matter in the next work session.

Mrs. Thompson-Chin explained that she had received multiple requests from the Police, Fire, and TVAC regarding telecommunications, specifically concerning bandwidth, repeaters, and antenna locations. This is a matter that requires further evaluation rather than presentations from vendors. There are organizations that assist municipalities with objective planning. She had contacted the MRESC to assess technology needs as it is a non-profit technology consultant; not a vendor or contractor. She is seeking to have a representative meet with Police, Fire, and TVAC to coordinate the needs for the Borough's emergency responders.

Mrs. Thompson-Chin updated that the GIS project is underway. In moving from flat maps to digital maps, the Borough will have a comprehensive records database based by block and lot. Also, a candidate was interviewed for the second part time code enforcement officer position. Another individual is scheduled for an interview. She will advise on the outcome of the interviews.

CORRESPONDENCE

Mayor Mahler – Wanaque RE: Elimination/Reduction of County Government
The receipt of the letter was acknowledged, but it was noted that the issue is not within Council's purview

M. & P. Shen RE: Building Department Commendation
Council acknowledged letter which commended the service provided by Lindsay Graham, Donna Eliot, and Bob McQuade. A copy of the letter will be placed in their personnel files.

S. Perez RE: 295 Tenafly Road Parking
After reviewing the request for permitted parking by a resident of the condominium complex, Council directed the Borough Administrator to have the Police Chief review the request for a recommendation.

S. Ried RE: POD Extension
Council approved the extension of the currently permitted POD.

Tenafly Citgo RE: Awning Request
Council reviewed the awning request. Mr. Byrnes advised that the Building Department reviewed the set of plans and it was not a temporary structure. The plans presented a permanent structure. Council directed the Borough Clerk to respond that the structure that is being proposed is not a temporary structure. If they are seeking a permanent awning, then they need to apply to the Board of Adjustment.

RESOLUTIONS for meeting of November 10, 2015:

- A. Approve Expenditures as of November 4, 2015
- B. Authorize Submission of Grant Application and Execution of a Grant Contract – New Jersey Department of Transportation - Jefferson Avenue (Section 3) Roadway Improvement Project
- C. Authorize Engineering Escrow Refund – 19 Walnut Drive
- D. Authorize Tree Mitigation Escrow Refund – 8 Park Street
- E. Authorize Tree Mitigation Escrow Refund – 78-80 Hickory Avenue
- F. Approve Change Order #1 – 2015 Resurfacing Program
- G. Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 25 Norman Place
- H. Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 29 Mahan Street
- I. Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 86 Tenafly Road

