

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, NOVEMBER 1, 2011

At 8:02 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 News. The notice of this special meeting via the October 27, 2011 Sunshine Notice has been sent to the Record, Suburbanite, and Northern Valley News and has been posted on the public bulletin board in the lobby of the Municipal Center."

Present: Mayor Peter S. Rustin

Council members: Barry Honig, Michael Lattif, Nadia LaMastra,
Jon Warms

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Council members Anthony Barzelatto and Martha Kerge

PUBLIC COMMENT:

Mayor Rustin read the following statement:

Public Comments: A total of 15 minutes has been allocated for this purpose. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda below. Citizens must give their names and addresses when recognized to speak. Large groups are urged to select someone to represent them. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Johanna Gambrill – Ravine Road – requested if the agenda can be rearranged to have the landscaping issue, which is currently listed under Old Business, as the first item on agenda to discuss.

Manny Nomikos – 73 Magnolia Ave – described the danger of the trees hanging on wires and the potential for disaster. He inquired if the Borough can use qualified personnel to cut trees in an effort to make process faster and safer.

Mayor Rustin explained the regulations which indicated that utilities must first certify that the downed wires are not activated and that it is safe for the Borough's professionals to proceed with the storm clean up. The Borough is aware of the power issues and resident frustration and staff is doing best they could.

Paul Renaud – 24 Sunset Terrace – Tenafly Lions Club – inquired on the replacement of 2 bushes planted by the club in Huyler Park. Mrs. Thompson-Chin advised that once Phase 2 is complete, the Borough will look at landscaping and signage as finishing touches before declaring renovation complete. Mayor Rustin suggested that the Lions Club should put their concerns in writing for further review.

Johanna Gambrill – stated that the number of wires attached to telephone poles is astounding.

Mel Lubins – 33 Stonybrook Road – commented that newly paved roads are in sad shape because they are parting after 3 years, should last 10, The pavers not doing

proper job because they are not sealing at the joint line. Mayor Rustin requested that the Borough Administrator bring this issue up at the next meeting of the Riverside Co-Operative.

OLD BUSINESS

Landscaping Subcommittee

C. LaMastra reported that the subcommittee reviewed two ordinances concerning landscaper registration and noise ordinance. In doing so, a third ordinance was cited as landscaping is referenced in different sections in the code. The subcommittee needs to meet again to look at the third ordinance. This issue warrants a broader discussion to look at the larger picture such as including noise emanating from generators. C. LaMastra explained that this matter goes to a much broader quality of life issue and the subcommittee will take into account all types of noise that affects residents, which will also include the relaxing of regulations in times of emergencies for a reasonable period of time.

Cooktique

At this time, the Borough Clerk called C. Barzelatto who was out of state and he provided his report via teleconference. He explained that he met on Thursday with the Fire Code Official and Construction Official. When the Fire Code Official inspected Cooktique in regards to their application for a construction permit to install a new ceiling, it was discovered that the establishment did not have commercial type range hood. The business owner was advised that the cooking classes cannot continue at this time and that the hood and duct system needed to be brought to conformance. Currently, the building permit has not been closed out because the business owner has not requested inspection. This issue was not picked up before because ceiling was never opened before to evaluate. Everything was opened and exposed, which showed the danger, as well as the need for a professional suppression system. C. Barzelatto explained that this business cannot be grandfathered as the existing duct system is dangerous and very much a fire hazard. A new commercial hood, commercial duct, and suppression system is required. He advised that the contractor signed an affidavit to repair or remove duct system and the certificate of occupancy for the store does not permit cooking classes to be conducted.

TO BE CONSIDERED

Proposed Agreement with BCUA Re: Rain-Derived Infiltration/Inflow Remediation

Mr. McClure reported to Council that there are a number of places that will cost tax payers money with this proposed agreement. He explained that rehabilitation costs are included in overall system charges, which can be considered an advanced agreement to a rate increase. Funds must be expended for traffic control during the remediation process. The Borough will need to adopt a continued certificate of occupancy ordinance to look for violations. A wastewater management plan is referred in the agreement but not provided. The BCUA is under no obligation to reconstruct or establish stormwater lines or connections. If they discover any old lines draining something into sanitary sewer lines, they can be disconnected and the municipality has to reroute, correct, or retrofit them. The term of agreement goes to 2033 and has mixed legal and practical issues. It is leading the municipalities to believe that they will save money, but the BCUA will not guarantee it.

C. Lattif recommended that Mr. McClure draft a letter citing these concerns and that all municipalities who are served under the BCUA should be copied as well as the proper county and state officials. C. Honig concurred and recommended that the letter inquire how the municipalities can audit and independently verify the steps being taken will save money. He commended that the Borough needs metrics to review the return for the investment.

Fingerprinting of Coaches

C. LaMastra explained that the Recreation Board is seeking clarification regarding the second round of the fingerprinting process. The Meghan Kanka Grant has paid for first round of fingerprinting. She inquired if the police can run prints again that are on file or if coaches need to be fingerprinted again. There are no funds budgeted for this process. The Borough Administrator will speak with Chief Bruno and report back to Council.

Skate Park Badges

Council forwarded the inquiry to the Recreation Board for their review. C. Lattif inquired that since the skate park was funded by county, the former administrator stated any county resident can use the skate park. Mrs. Thompson-Chin will review conditions of the grant and will advise.

Funding for Bandstand Holiday Decorations

Mrs. Thompson-Chin advised that the bandstand committee asking for funding for decorations since they used all funding for restoration. Council determined that the committee is to be directed to raise the funds as money for holiday decorations should not come out of public funds.

ADMINISTRATOR'S REPORT

Update Memorandum

Mrs. Thompson-Chin advised that the Borough received bronze certification from Sustainable Jersey. This certification was announced in the newsletter. There will be a press release on this designation which will include the benefits of the certification to the community and will outline the specific savings achieved from improvements undertaken to receive this certification. Council will acknowledge Mr. Beutel for his efforts in obtaining this major achievement. The Borough will be recognized at the Sustainable Jersey awards luncheon at the League Convention. C. Warms advised that he will attend luncheon.

Mrs. Thompson-Chin reported that the newly revised website will launch on November 14th, which provides the opportunity for advanced administrator training on November 9th. The redesign also includes going from 3 users to 12 and from 1 administrator to 4. This provides more knowledge and access.

Mrs. Thompson-Chin advised that as part of the update to the uniform fire code, there will be public information component as an article will appear in the newsletter and there will be a formal press release. C. LaMastra inquired if the businesses will be notified of the new dumpster ordinance. Mrs. Thompson-Chin responded that there will be a business section in new website and an opportunity for businesses and residents to sign up for an RSS feed.

Mrs. Thompson-Chin referenced Chief Bruno's memo regarding the logistics of the recent Woofstock event. She explained that the Media and Events Committee is working on establishing rules and a standard form for event organizers and sponsors to complete. Additionally, the committee will have the sponsors of big events attend committee meetings on the month of the event to coordinate event logistics.

C. Lattif inquired on the status of procuring 911 equipment for the Fire Department. Mrs. Thompson-Chin advised that the funding was allocated in the capital budget, in which the funds do not expire. She will follow-up with the Fire Department to ascertain if they will meet the January 2012 deadline.

Council recessed at 9:36 pm and resumed the work session at 9:46 pm.

CORRESPONDENCE

Giants of Generosity

Re: Permission to advertise "Gift for Children" Event.

It was the determination of Council to deny the organization from installing their billboard sign as per the Borough sign ordinance; however, the event can be advertised on the electronic message board.

Presbyterian Church at Tenafly

Re: Signage

Mayor Rustin explained that the Church was seeking to replace two directional signs and the replacement signs were larger than the original. One sign was placed right before a driveway. The resident complained that the sign was blocking the view. The Police asked Church to remove sign within 24 hours. The Church failed to remove the signs, so then the Police removed the sign. Council determined to allow the Church

put up the two directional signs at locations where Police Department indicates as it won't block views for oncoming traffic.

Lubavitch on the Palisades

Re: Menorah

Council approved the request by the Lubavitch on the Palisades to set up the Menorah at Huyler Park and to arrange for the Menorah Lighting event. The Borough Clerk will notify the rabbi and provide a copy of letter to the Police.

OLD BUSINESS (continued)

Dog Park Location

Council discussed the proposed location of the Oval and its proximity to Tenafly House. Mrs. Thompson-Chin advised Council that she is waiting for the Borough Engineer to prepare an estimate for survey. The consensus of Council was to no longer consider the proposed location and that the Dog Park Committee needs to provide another location for Council to review.

NEW BUSINESS

C. LaMastra inquired about notification regarding the storm debris branch pickup. Mrs. Thompson-Chin advised that the information is on the website. C. LaMastra advised that this information should be communicated through Code Red since people may not have power and cannot access internet.

C. LaMastra advised that the Superintendent of the Board of Education issued a message that due to the storm Halloween was cancelled and there would be new date to celebrate Halloween. She inquired about what the Borough is doing for the children. Mrs. Thompson-Chin will contact the Superintendent to coordinate the celebration activities.

C. Warms requested a consensus among Council that when a severe storm occurs, that the Library, McCandless Room, or Senior Center be open for residents to gather for heat, Wi-Fi, to charge cellphones, etc. Mrs. Thompson-Chin will review this matter with Chief Bruno and Bob Beutel.

C. LaMastra stated that the e-mail communications for Police needs to be addressed without delay. She recommended that an emergency e-mail be provided for Police to communicate. Council discussed the costs involved in hiring an IT coordinator and purchasing equipment, as well as the cost for a generator for the high school, where the server is stored. Those who are attending the NJLM convention will look at potential vendors. C. Warms commented that the Department of Community Affairs recommends using g-mail under some circumstances, which should be explored.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Honig, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:21 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk