

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, MAY 4, 2010

The meeting was called to order at 7:30 P.M. with the reading of the Open Public Meetings Act statement by Mayor Rustin.

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Nadia LaMastra, Michael Lattif,
Joseph McDermott, Patrick J. Rouse, Jon Warms

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: None

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."

1. Mike Jaio, 3 Coppell Drive, Tenafly, urged the Council to establish parking restrictions on Coppell Drive to address the problem of commuter parking on the street.
2. John Pitman, DDS, 2 Coppell Drive, Tenafly, advised that his patients are not able to park due to the large amount of commuters parking on Coppell. An additional concern he cited were the three burglaries that had occurred on Coppell, and many of the vehicles were not from Tenafly.
3. Jeff Isaacs, 6 Coppell Drive, Tenafly stated that the residents are looking for relief from the parking issue on Coppell.
4. Brian Mackler, 15 Coppell Drive, Tenafly reminded the Council that there are no sidewalks on Coppell which forces pedestrians to walk in the street, and with cars parking on both sides of Coppell, it has become very dangerous.
5. Robert Van Etten, 9 Coppell Drive, Tenafly noted the situation with the commuters parking all day on Coppell has become dangerous.
6. Helen Rothchild, 5 Coppell Drive, Tenafly commented that taking down the parking restriction signs on the other streets will not be the answer to Coppell Drive's problem.
7. Joe Frohlinger, 7 Coppell Drive, Tenafly said safety was the prime concern of all residents.

8. Dena Falek, 21 Coppell Drive, Tenaflly voiced concern about safety.
9. Laurie Kluger, 8 Coppell Drive, Tenaflly suggested signs be installed that restricts parking to three hours.
10. Matt Kluger, 8 Coppell Drive, Tenaflly noted that the condition of parking on Coppell has gotten much worse since they first came to the Council in January.
11. Leslie Lipka, 10 Coppell Drive, Tenaflly took issue with the lack of enforcement of commuter parking by allowing commuters to park on the various streets in town.

Council agreed to consider item 1B first::

1.B. Commuter Parking Program review/Coppell Drive issue

Councilman Lattif suggested Council amend the parking policy to limit daytime parking hours to specific hours. Councilman Rouse noted that parking is a major problem throughout town. He suggested the matter be referred to the Police Commission to discuss with the Chief of Police and the Traffic Squad and then come back within 20 days with suggested solutions to the various parking issues. Mayor Rustin suggested limiting parking to two hours only during morning hours. It was agreed to take it to the Police Commission for input and recommendations from the Police Chief and to learn if DOT approval is needed before any changes can be implemented. As there is a meeting of the Police Commission on Friday, the Council members on the Commission will report to the remaining Council members on the discussion.

1. **TO BE CONSIDERED**

A. Review updated DRAFT Press Release 2010 Municipal Budget (CFO Gene Vinci present)

Administrator advised that Clean Communities grant moneys of \$23,366 has been added along with the offsetting appropriation. Council reviewed as Administrator advised that upon approval, it will be posted to the Borough website for residents to see what will be discussed at the Thursday, May 6, 2010 budget workshop meeting (7:30 pm). This packet of information will be linked to the agenda on the website as well.

As a representative of JMP was present, Council agreed to consider item 1E next:

1-E. Planning Board response to JMP request for zone change/Shopwell settlement

Richard Fernicola introduced himself on behalf of JMP. Planning Board submitted a recommendation that medical and dental offices be permitted as requested by JMP. Borough Attorney stated there is nothing in the Settlement Agreement with Shopwell to preclude making this change in zoning. Councilman Lattif referenced a 2007 email included in tonight's packet citing the notes from 2003 indicated it was a density issue that the then-Council felt strongly about. Mayor requested a consensus of the Council; all but Lattif and LaMastra were in favor of amending the zoning to permit medical and dental offices on the commercial parcel of the former Penetone/Shopwell site. An Ordinance will be scheduled for introduction at the May 11 meeting.

B. Commuter Parking Program review/Coppell Drive issue (4/6/10)
Discussed above.

C. Open Space Fund/consider possible referendum question (4/6/10)

Councilman Rouse asked the Council to consider a moratorium on collection of the open space tax for the next two – t hree years. Borough Attorney advised only way to

change this legislation is through another referendum. On consensus, only Mr. Rouse was in favor of the change, and there was no further discussion.

D. Properties with Maintenance Issues/March storms/Enforcement (from 4/27 mtg)

Councilman Barzelatto expressed his concern that property owners affected by the severe storm be shown some leniency in dealing with the storm damage. In some cases hardship will be an issue to making costly repairs and he asked that officials work with the homeowner and be compassionate in their interactions.

Referencing the issue brought to the governing body's attention by Mr. Jeffrey Thompson at the April 27 meeting, the Borough Administrator reported she had reviewed the activity report from the Building Department for March and April and he had not been singled out. She reported further that a specific complaint was filed on his property by a neighbor.

E. Planning Board response to JMP request for zone change/Shopwell settlement
See above.

F. Extension of More Than Snacks contract with Teen Center

This will be on the May 11 public meeting agenda.

G. Authorization to Receive Bids on: (a) Municipal Center Concession Stand; (b) D-J Park Rose Garden Improvements; (c) Walnut Park Playground

Resolutions to receive bids will be on the May 11 public meeting agenda.

2. **ADMINISTRATOR'S REPORT**

A. Committee updates

Ms. Thompson-Chin reported the newsletter was sent to the printer on April 29, production has been completed and we are processing the required postage. The fireworks contract with Garden State has been completed. There will be a walk-thru with the Borough Engineer on the ramp project at the Nature Center on May 6. She also reported that an additional change order will be needed on the Huyler Park Improvement Project in order to add a sidewalk that was eliminated when the project was scaled back. The landscape designer recommended the deletion at the time, but at this point in the project it is necessary to include it for the pavers. This will add \$4000 to cost; change order will be done at close out of the project.

B. Computer Energy Conservation

Michael Ulshoefer of the Technology Department at the Board of Education asked that we adopt a policy to power up and down through the Board. All computers will be turned off at midnight and turned on again at 5 am. Council agreed.

C. United Water Rate Increase

Ms. Thompson-Chin reported she had received several phone calls from residents regarding the rate increase from United Water and they have been referred to the internet articles for explanation.

3. **CORRESPONDENCE**

- A. Governor Christie Re: Fiscal Policy Plans for State of NJ
B. League of Municipalities Re: Response to Governor's letter

- C. Presbyterian Church Re: Request for Support for “Field of Flags”
There will be a proclamation at the May 11 public meeting.
- D. Crown Castle Re: Request for Co-Locator
A question arose about the number of lessees on the monopole; lease and specs will be provided to Borough Attorney to review and report back to Council.
- E. Planning Board Re: Review of Ordinance No. 10-14
Public Hearing will be held on May 11, but Council agreed to postpone further consideration until full 35 days have passed for their written recommendation. Borough Clerk will communicate to Planning Board.
- F. Am. Cancer Society Re: Request/GW Bridge Challenge Cycling
Event through Tenafly
Approval will be on May 11 public meeting agenda
- G. NJ DEP Re: 2008 Green Communities Grant/\$3000
- H. Boro of Dumont Re: Opposition to Repeal of B.C. Blue Laws
Council agreed to do a resolution opposing the repeal of Bergen County Blue Laws at the May 11 public meeting.

4. **CLOSED SESSION - None**

5. **RESOLUTIONS for the meeting of May 11, 2010:**

- A. May expenditures
- B. Cancellation of balances/capital ordinances
- C. Reso/Ord banning construction materials at Recycling Center
- D. Raffle Applications: 967/Autism Training & Education; 968/Jenna’s Rainbow; 969 & 970/St John Theologian;
- E. Outdoor Seating Applications: TPR Pizzeria; Cactus Sushi
- F. LOSAP for TVAC
- G. Authorize Receipt of Bids/Municipal Center Concession Stand
- H. Authorize Receipt of Bids/Davis-Johnson Park/Rose Garden Improvements
- I. Authorize Receipt of Bids/ Walnut Park Playground
- J. Approve Refund/Planning Board Escrow/PB#1-10-03/Church of Atonement
- K. Approve Refund/Planning Board Escrow/PB#1-08-06/Gurtegh Holdings
- L. Approve Refund/Tree Mitigation Escrow/37 Stonybrook Road
- M. Approve Renewal of Contract/More Than Snacks/Teen Center
- N. Amend Resolution #R10-159/correct Temporary Budget Amendment
- O. Introduce Ordinance No. 10-15/Establish CAP Bank 2010
- P. Introduce 2010 Local Municipal Budget

6. **PUBLIC HEARINGS for meeting of May 11, 2010:**

- A. Ordinances: No.10-14/Rescind Parking Trust Fund No.08-16
- B. Other: None

7. **COMMITTEE REPORTS**

8. **MINUTES to be approved:** Work Session of April 6, 2010,
Closed Session of April 6, 2010
Public Meeting of April 13, 2010
Closed Session of April 13, 2010

9. **OLD BUSINESS**

- A. *[from 2-3-09 COW]* Fire Dept recognition to be scheduled, and *(from 10/6/09 COW)* revisions to Fire Department Ordinance.
- B. *[from 2-3-09 COW]* Building Numbers/Map-Revised Ordinance to be reviewed.
- C. *(from 2/23/10 COW)* Review GIS
- D. *(from 4/6/10)* Status of Rail Consultant (H2M) report

Borough Administrator will reach out to Janice Talley for a status report. Mr. Lattif reported a sign in Hoboken terminal shows a dotted line of potential (proposed) service to Tenafly.

10. **FOR THE GOOD OF THE ORDER**

Councilman McDermott brought up the safety issues once cited at Café Angelique for their use of the attic space and questioned the status of violations. Borough Administrator will meet with Fire Official Alden Blackwell, Construction Official Bob Byrnes and Code Enforcement Director Frank Mottola and report back to the Council.

Councilman Barzelatto questioned the advisability of having the budget workshop in the Committee Room on May 6 and thought there would be many residents attending and Council should consider moving to the Chambers. The Downey Drive sidewalk was an issue at the Board of Education meeting last evening. Borough Administrator will advise the Board of Education that the installation of a sidewalk is a project the Borough will be doing in 2010. Mr. Barzelatto also questioned the use of TVAC responder vehicles to volunteers' homes when they come to headquarters. Use of responder vehicles is so volunteers can report directly to the scene, not to commute to TVAC. Lastly he urged review of the Fire Prevention fees for non-life hazard uses.

Councilwoman LaMastra inquired about the grant application for handicap lifts for the pools. Borough Administrator reported we will not have them for 2010 and that we are waiting currently for the County to send the contracts.

11. **ADJOURNMENT**

As there was no further business to come before the Council, on a motion by Council member McDermott, second by Council member Warms, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:40 pm.

Respectfully submitted,

Nancy Hatten