

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, October 26, 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 (arrived at 7:31 p.m.), Jon Warms

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: None

1. **TO BE CONSIDERED**

A. Juvenile Firefighter Program

C. Barzelatto asked Council if they had any questions or concerns regarding this program. C. Lattif responded that an executive summary was needed which included funding issues should the consensus of Council be to move forward with this program. C. Barzelatto stated that the Fire Department is working on the monetary figures. Mayor Rustin mentioned that further information was needed on the application process, education process, and level of commitment required from participants. C. LaMastra asked how will the program be marketed and if non-residents can participate. A discussion was held regarding a pending amendment to an ordinance to be presented by the Fire Department concerning non-resident members. C. Barzelatto responded that flyers would be distributed in the high school. He will follow-up with the Fire Department for more information regarding the Juvenile Firefighter Program and the amending ordinance for organization's membership for the November 4th COW.

B. Donation of Cotswald Fountain

Mr. McClure advised that he contacted Mr. Urdang for a status on this matter and advised him that the Borough will not make any decisions until the issue of ownership is resolved. He will reach out to all parties involved for further information and advise Council.

C. Handling of Audience Remarks

Mayor Rustin explained that the responsibility of the governing body is to take care of the business of the Borough and that expanding audience remarks in any manner will inhibit the ability to take care of business of the Borough. Council discussed options and alternatives. Council determined not to change the format of handling audience remarks. All questions will be directed to the Mayor as the chairperson of the meeting, who will respond accordingly.

D. Major Tree Removal Permit/Frangelo Landscaping, Inc./144 Oxford Drive

This matter was tabled until further notice based on the recommendation of the Borough Engineer and Department of Public Works. There will be a stop order on this project.

2. **ADMINISTRATOR'S REPORT**

A. 5 South Summit Suggestions from Departments.

Mrs. Thompson-Chin reviewed the recommendations submitted by staff and advised that the potential lessee is interested in purchasing the property. C. Lattif stated that the Board of Trustees of the Senior Center would like to evaluate the property to bring in programs that cannot be currently conducted due to the lack of meeting space. He indicated that this is an opportunity to think of the building to serve the community in ways that are not parking spaces. Mayor Rustin requested to have the Construction Official look at the building to determine how much it would cost to bring it up to code. Council discussed retaining an appraiser to determine the property value. Mrs. Thompson-Chin indicated that there may be a licensed appraiser on staff.

B. Performance Evaluation Review.

Mrs. Thompson-Chin provided Council with the background on the performance evaluation review as adopted by the Council in 2008 via resolution which applied to managerial employees, department heads, and supervisors. In 2008, the DPW used the current form to evaluate all the employees in that department. The contract language varies among the bargaining units with respect to performance evaluations.

C. LaMastra explained that the intent of the appraisal was for the Borough Administrator to evaluate the unrepresented employees and train the department heads to conduct their own evaluations. The purpose of the evaluation was to set expectations and establish a mechanism for training, coaching, and mentoring.

Mrs. Thompson-Chin outlined the implementation process beginning January 1, 2011 with a comprehensive report on the outcome of these reviews to the Mayor and Council in April of 2011. It was the determination of the Council that the performance evaluation was not to be linked to salary compensation and authorized Mrs. Thompson-Chin to proceed with the implementation.

3. **FOR THE GOOD OF THE ORDER**

This item was moved to the end of the Public Meeting.

4. **CORRESPONDENCE**

- A. Li/77 Newcomb Rd Re: Request/Road Resurfacing and Landscape Curbing Newcomb Road

Council requested that the Borough Engineer evaluate the area in the letter and determine if it should be listed among the roads to be considered for resurfacing. The Borough Clerk will advise the resident of Council's determination.

- B. Farrell/Longboat Key, Fl Re: Request/6 month access to Recycling Center

Since the decal is for year-round use, Council determined that the resident is eligible for a letter permitting that he can use the Recycling Center during the 6 month course of his residency. The Borough Clerk will notify the resident.

- C. Hui/44 Marconi Street Re: Insurance Coverage/ Encroachment of Wall in R-O-W

Council determined that the resident could keep the encroachment as long as they submit an executed hold harmless agreement.

- D. BC Board of Chosen Freeholders Re: Resolution#1466-10/9-11 Health and Compensation Act

Council recognized the resolution adopted by the County.

- E. BC Board of Chosen Freeholders Re: Resolution #1467-10/Women's Health Care Bill

Council recognized the resolution adopted by the County.

- F. Various Residents/Wilkins Place Re: Request/Address Traffic Issues on Wilkins Place

This item of correspondence was forwarded to Chief Bruno for his review and recommendation.

5. **RESOLUTIONS** for meeting of October 26, 2010:
- A. Approve October Expenditures as of October 20, 2010
 - B. Authorize Refund/Planning Board Trust Account/Sushi Ten Corporation
 - C. Authorize Refund/Planning Board Trust Account/Tenaflly Montessori Academy
 - D. Approve Refund/Tree Mitigation Escrow/47 Sunset Lane/\$9,000.00
 - E. Approve Refund/Tree Mitigation Escrow/18 Thatcher Road/\$4,600.00
 - F. Approve Refund/Tree Mitigation Escrow/55 Engle Street/\$750.00
 - G. Approve Refund/Tree Mitigation Escrow/150 Magnolia Avenue/\$250.00
 - H. Approve Refund/Tree Mitigation Escrow/150 Oxford Drive/\$200.00
 - I. Approve Refund/Tree Mitigation Escrow/187 Oxford Drive/\$1,200.00
 - J. Approve Refund/Tree Mitigation Escrow/259 Engle Street/\$150.00
 - K. Approve Refund/Tree Mitigation Escrow/301 Hudson Avenue/\$250.00
 - L. Approve Refund/Tree Mitigation Escrow/67 Woodland Park Drive/\$600.00
 - M. Approve Raffle Applications #RA979/Tenaflly Elks Lodge/07-08-10 through 07-08-11 & #RA980/The Presbyterian Church at Tenaflly/11-21-10
 - N. Authorize Receipt of Bids/Backhoe for the Department of Public Works
 - O. Authorize Receipt of Bids/Removal and Replacement of Twenty-One (21) Windows at the Municipal Center
 - P. Authorize Service Agreement/Deferred Compensation Plan/AXA Equitable
 - Q. Award Bid for West Clinton Avenue, Section 3, Resurfacing Project
 - R. Authorize Receipt of Bids/Leasing Temporary Trailers
 - S. Approve Developer's Agreement/Huyler Sky, LLC/19 Huyler Avenue
 - T. Approve Refund/Tree Mitigation Escrow/66 Essex Drive/\$100.00

6. **PUBLIC HEARINGS for the meeting of October 26, 2010:**

- A. Ordinances: None.
- B. Other: None.

7. **Minutes** to be approved:
- Work Session of September 28, 2010
 - Regular Meeting of September 28, 2010
 - Work Session of October 5, 2010
 - Closed Session of October 5, 2010
 - Regular Meeting of October 12, 2010
 - Special Work Session of October 19, 2010
 - Closed Session of October 19, 2010

8. **ADJOURNMENT**

As there was no further business to come before the Council, on a motion by C. LaMastra second by C. Warms, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez