

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, DECEMBER 4, 2012

At 7:31 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 (arrived at 9:05 p.m.), Barry Honig (arrived at 7:32 p.m.), Martha Kerge, Nadia LaMastra (arrived at 7:37 p.m.), Jon Warms, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Chief Financial Officer: Gene Vinci

Absent: None.

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.

Tom Nigro – 5 Stonybrook Road – expressed his opinion that the tree ordinance should be as stringent as possible to keep with the character of Tenafly; advised that Chatham, Cranberry, and Perth Amboy incorporated the NJ Flood Area Hazard Control Act in their zoning ordinances and that this act should be incorporated in the proposed tree ordinance to minimize the jeopardy to staff's licenses.

Mayor Rustin informed Mr. Nigro that the Borough's professionals advise the Borough Administrator and Council of the need for revising ordinances and the professionals know that state law supersedes local ordinances.

Johanna Gambrill – Ravine Road – informed Council that at last month's BID meeting she was cut off during public comment and the board went into closed session. She advised that she was in the middle of inquiring about the business directory and the ads in the Suburbanite and that this was the fourth time her comments were abruptly terminated to enter into closed session.

PRESENTATIONS

Proposed Revisions to Chapter 26 – Trees

DPW Director Beutel noted that people are not taking down trees that they should because of the cost of mitigation and the proposed revision will address this issue. C. LaMastra noted that the ordinance is difficult to read because one constantly needs to go back and forth to review the references to determine what applies to a particular situation. Mrs. Thompson-Chin explained that the ordinance is the legal document, but the application itself is what the homeowner sees. She advised that the revised application is unified and that the prior application process is what caused problems for homeowners. The application has relevant the information for the property owner. C. LaMastra suggested that the ordinance needs to be redrafted to remove complexity. C. Kerge concurred and recommended that ordinance should be tailored from the simplistic to the complex. Mr. McClure explained that it is easier to require less when have a more stringent ordinance than to impose stricter requirements when the ordinance is simplistic. C. LaMastra noted that the R-9 zone is left off the ordinance in the buffer area under definitions. C. Kerge asked the Borough Engineer

about incorporating the state requirements that were suggested in public comment. Mr. Hipolit advised that all municipalities must enforce state statutes and that Chatham was required to incorporate the state regulation in its waste water plans under mandatory directive of the NJ DEP. Council determined to have the proposed revised to include the R9 zone under the definition for buffer zone and to have the reference chart incorporated in the ordinance as well. Once revised, the ordinance will be introduced in early 2013.

Micro-Resurfacing

Mr. Hipolit explained that a regular road program consists of milling and resurfacing, as well as pothole repair to maintain roads. Utilities are opening roads for required repairs and maintenance, but only repave the section of the roads they were working on. Micro-resurfacing is an additional sealant consisting of a rough sand product to extend the life of the road. New Providence and Summit have undergone micro-resurfacing for about a decade. This type of repair addresses more roads and assists in the longevity of the roads. Mayor Rustin noted that due to budget constraints and the rising cost of asphalt, fewer roads are being resurfaced each year. He stated that the Borough is falling behind drastically in the road repair program and it is the #1 complaint among residents.

Mr. Hipolit explains that DPW prepares the roads by repairing cracks and patching pot holes about 2 weeks before the road is micro-resurfaced. Mr. Beutel informed Council that the amount of salt used during snow and ice storms leads to a quicker deterioration of roads. Mr. Hipolit explained that micro-resurfacing protects the roads from salt. 10 roads can be micro-resurfaced for same price of paving 1½ - 2 roads. C. Honig recommended that a list of roads that need repair and candidates for micro-resurfacing be compiled to review when discussing the 2013 budget. C. LaMastra recommended that the Borough Administrator bring up this concept with the Riverside Cooperative so that this service can be jointly bid in the future. Mayor Rustin commented that he will set up a date and time after the new year to view streets that have had been micro-resurfaced.

Input on Planning Board Recommendations re: Height and Combined Side Yard

Mr. Hipolit advised that he reviewed the Planning Board's recommendations and noted that the proposal is seeking to prevent homes from looking like they are 3 stories and to control the look of homes from the street. He explained that when there are individual side yards, a developer can play with the figures to make a bigger house. C. Kerge stated that the Borough is fully developed; therefore, she does not see the need for this ordinance. C. Barzelatto cited a recently new house built on Jefferson Avenue and that it does not proportionally fit in the neighborhood. C. Honig commented that he is not sure the proposals would address such a problem. Mr. Hipolit explained that if one looks at each tool individually, it may not address the problems with the streetscapes, but it seems that the Planning Board is trying to address some situations where houses fall outside of the typical zone. The consensus of the majority of council to list 2 ordinances for introduction in January to address height and combined side yard recommendations and for the Borough Engineer to look at approximately 5 oversized homes recently constructed and to determine if the proposed regulations would have generated a different outcome.

TO BE CONSIDERED

Status of 2012 Budget and Upcoming Issues for 2013 Budget

Mr. Vinci highlighted that there will be an increase in debt service because of the recent bond sale, but there is about a \$250,000 decrease in salaries because of attrition. He explained that even though employees are paying more towards health insurance, the state raised the premium 8% so it negates any savings. Assuming budgets remain flat, there is an anticipated increase of \$90 per home, but he and the Borough Administrative need to review the proposals with the department heads.

Payroll and HR Upgrade

Mrs. Thompson-Chin advised that payroll companies are now automating the new calculations imposed by the state with regards to employee contributions' for health benefits. The Borough received a proposal from Balance Point, which is the Borough's current payroll processing company and a proposal from ADP. She and Mr. Vinci recommend upgrading the services being provided by Balance Point. Mr. Vinci noted that the proposal creates a profile on each employee, which automatically flags for increases in implements and longevity and will track every bargaining unit. Council granted authorization to proceed with the upgrade.

ADMINISTRATOR'S REPORT

C. Honig inquired about the purpose of the December 6th ADA meeting. Mrs. Thompson-Chin advised that the purpose was to present the handicap parking inventory, which Chief Bruno is very hands-on with the assistance of the Borough Engineer.

RESOLUTIONS for meeting of December 11, 2012:

- A. Approve Expenditures as of December 5, 2012
- B. Execute Collective Bargaining Agreement – OPEIU Local 32
- C. Execute Collective Bargaining Agreement – Tenaflly Crossing Guards
- D. Authorize Refund/Overpayment - Veterans Deduction
- E. Authorize Refund/Tax Overpayments – Various
- F. Authorize Refund/2012 County Board Judgments – Various
- G. Authorize Cancellation of Taxes – Monopole
- H. Authorize Issuance of Purchase Order/Lightning Detection Systems Installation – Quality Protection Systems
- I. Authorize Receipt of Bids/Tenaflly Road Sanitary Sewer Lining Project
- J. Authorize Receipt of Bids/Tenaflly Road Section 2 Project
- K. Authorize Receipt of Bids/Improvements to the Roosevelt Commons Basketball Court Project
- L. Authorize Additional Engineering Services/Mapping and Engineering Evaluation for Existing and Proposed Handicapped Accessible Parking in the Downtown Area

There were no comments on the proposed resolutions.

OLD BUSINESS

None.

NEW BUSINESS

None.

FOR THE GOOD OF THE ORDER

Fire Prevention Poster Winners will be recognized by the Tenaflly Fire Department at December 11th meeting.

C. Kerge recommended that Council look at the prospect of televising meetings. Mayor Rustin explained that this service would be a budgetary item that requires the purchase of equipment and funds to hire someone to film the meetings. Mrs. Thompson-Chin and Mr. Vinci will review a recent grant received from Cablevision. Mayor Rustin will speak with David DiGregorio about airing meetings on Channel 77 and if he can recommend anyone to film the meetings.

C. Warms recommended that Council review naming the oval and driveway since more events are being held there.

C. Barzelatto requested that the Fire Department 9-11 Memorial be listed for the January work session. He inquired about the status of the Junior Firefighter proposal. Mr. McClure advised that he is reviewing the proposal with the JIF with regards to the potential of exposure since minors are involved.

C. Honig stated that he would like listed for discussion a tree removal service provided by DPW for a fee as a method to raise revenue as opposed to a resident hiring a private contractor. Mr. Vinci advised that there may be insurance coverage issues. Mr. McClure advised that he would research this matter and advise if the Borough can undertake such a service.

Mayor Rustin advised that he spoke with officials from Park Ridge regarding their utility services and was advised that the utility was created in the 1920s when electricity first came to Park Ridge. To create an electric utility is not economically feasible due to the millions of dollars required to build substations, buy lines from PSEG and the cost of personnel.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Honig, second by C. Kerge, and unanimously carried, to adjourn this meeting, the meeting was adjourned at 10:26 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk