

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, FEBRUARY 7, 2012

At 7:32 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.”

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto (arrived at 8:23 PM),
Martha Kerge, Nadia LaMastra, Jon Warms,
Mark Zinna

Borough Administrator: Jewel Thompson-Chin
Borough Attorney: William R. McClure, Esq.
Chief Financial Officer: Gene Vinci

Absent: Council member Barry Honig

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 – Thanked Council for representation during the DEIS hearings, commented about accessibility in website, complained about BID’s request to change membership and suggested that the group will become a secret entity unto itself. C. LaMastra clarified that the size of the BID’s membership is in the initial discussion stages; however, it’s the Governing Body’s decision on whether to change the membership of the BID, which can only be done by ordinance.

Jinbo Zhang - 295 Tenafly Road, Apt. G – Explained that the property has been designated as a flood hazard zone by FEMA, but there has never been a flood in the area. On behalf of the apartment owners, he requested the Borough to support them to oppose this designation. Mayor Rustin requested that the residents provide a copy of the letter from FEMA and drop it off to the Borough Administrator, so she can have the Borough Engineer review this matter to find out impetus for this letter.

Johanna Gambrill – Ravine Road – thanked Transportation Committee Chairperson Seiden for his work on the Light Rail. Mayor Rustin stated that the biggest asset in Tenafly is the people and noted that Mr. Seiden has done a wonderful job for the town.

TO BE CONSIDERED

Back-up Generator – Arrangement with Board of Education

Appropriations for Purchase of Generator & Amendment of IT Contract

Mrs. Thompson-Chin reviewed the proposed IT contract in which the cost will increase at a rate of 2% increase per year for 5 years. Mr. Vinci explained that to proceed with the project, there needs to be a bond ordinance to have funding in place to finance

50% of generator cost. The bond ordinance authorizes the borough to borrow the money. Mrs. Aportela-Hernandez explained the estoppel period and its impact on when funds would be available. Mr. McClure suggested including level of service language to the contract. Council discussed authorizing the project to be capped at a certain price and to include the ability of the Borough to look at the bid specs or review the bids. It was determined that Mrs. Thompson-Chin and Mr. Vinci will speak with the Superintendent and School Board Secretary to amend the contract to include these provisions.

Borough Administrator's 2012 Goals.

C. LaMastra reported that as a subcommittee, she and C. Honig met with Mrs. Thompson-Chin to establish goals for 2012, as well as a time frame to prioritize what needs to be accomplished in time for the next evaluation period. Council confirmed that this will be the basis for handling all of the Borough Administrator's evaluations.

DEIS/Light Rail.

Mrs. Thompson-Chin reported that she spoke with Mark Gordon, who will have a draft available for Council to review. Mayor Rustin noted that the Transportation Committee agreed that the written response will concentrate on the alternatives listed in the DEIS. On Friday, he sent out letters to the Governor, the 2 U.S. senators, the 3 Congressmen representing the area, District 37 Legislators and the County Executive, and had invited them to visit Tenafly.

Rescheduling of February 14th Public Meeting.

Mrs. Aportela-Hernandez reported that due to the uncertainty of when the court session on the 15th will end and the budget meeting scheduled for the 16th, the only option available to reschedule next Tuesday's meeting is Monday, February 13th. The consensus of the majority of Council determined to move the February 14th meeting to the 13th. Mrs. Aportela-Hernandez will issue the required notices.

Proposed Roadway Traffic Change – Prospect Terrace (from Magnolia Avenue to County Road).

Mrs. Thompson-Chin advised Council that the proposed roadway change came as a recommendation of the Police Department to improve traffic flow at Maugham school. Council directed the Borough Clerk that once the ordinance is introduced, to write letters to the affected property owners and Maugham School so they can notify the HSA of the traffic regulation.

Historic Landmark Designation – 170 Thatcher Road – Endorsement by Planning Board

Council reviewed the memo and determined to proceed with the designation of 170 Thatcher Road as a historic landmark.

Independence Day Fireworks Display Quotes

Mrs. Thompson-Chin explained that she received quotes from 2 companies for the annual Independence Day Fireworks and is recommending accepting the proposal from International Fireworks based on the higher total number of shots with their better overall quality of design.

Rules of Protocol

C. Zinna reported that the subcommittee met and determined it seems that Council is following them. C. Kerge stated that the subcommittee does not think it is necessary to sign the document, but to have the rules kept on file for reference. Mr. McClure advised that separate rules are not required; it was imposed by Council on themselves. C. Warms noted that Council is elected by the public and it is up to the public to decide whether members of the governing body should continue for future terms. C. Kerge commented that the committee does not believe anything in the spirit of the code of conduct that is contrary to what we think as a governing body, but signing the form should bind elected officials. C. LaMastra noted that she was disappointed that the subcommittee didn't come back with changes because the rules of protocol is a matter of formality of how the governing body operates on the table and how the agenda is crafted. Mr. McClure advised that rules of procedure never supersede the oath of office; it is an agreement to respect certain rules abided by in conducting meetings in an effort of showing respect to each other. He recommended that Council adopt a resolution of rules of procedure to supplement Robert's Rules of Order.

Police Department Oaths of Office at next Public Meeting

The oaths of office for the two new officers and subsequent promotions will be held on February 13th.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin advised that according to the Uniform Fire Code Report, the Borough has significantly improved in the inspections for life hazard uses and non-life hazard uses. She noted that Fire Official Alden Blackwell deserves a lot of credit for bringing the Borough back to compliance.

Mrs. Thompson-Chin reported that she met with the Borough Administrator of Little Ferry regarding a draft agreement for registrar services. She forwarded the agreement to Mr. McClure who will review the agreement with the Borough Attorney of Little Ferry. The cost will be the same as with the Cresskill's agreement at \$15,000/year, but with drastic increases in the amount of hours available. She expects the Little Ferry Borough Council to approve the agreement on February 21st and it will be listed on the consent agenda for February 28th. Little Ferry has a lot of experience in shared services, as it provides municipal court services with Bogota and is in talks with Bogota and Teaneck for shared police services.

CORRESPONDENCE

NJLM/NJEA RE: Read Across America
Council decided that it will issue a proclamation for Read Across America. C. Kerge recommended issuing a press release as noted in the kit as well.

Ispahany RE: 295 Tenafly Road – Flood Hazard Zone
This item was addressed during the Public Comment portion of the meeting.

RESOLUTIONS for meeting of February 14, 2012:

- A. Approve Expenditures as of February 8, 2012.
- B. Approve Housing Element and Fair Share Plan.
- C. Confirm Appointment of Borough Auditor.
- D. Approve Raffle Applications RA 1009 & RA 1010/ Family Promise of Bergen County and Sisterhood of Temple Sinai.
- E. Authorize Expenditure/Affordable Housing Trust Fund/Stickel, Koenig & Sullivan.
- F. Authorize Expenditure/Affordable Housing Trust Fund/Sokol, Behot & Fiorenzo.

There were no comments on the proposed resolutions for the next public meeting.

OLD BUSINESS

Mayor Rustin reported with regards to the concession stand, concrete poured has been poured, and next is electric and plumbing as the weather has been favorable for construction.

C. Barzelatto reported the Fire Department is seeking to place the ring back in its original location. The Department will forward to the Board Administrator a diagram of columns to hold ring in place.

C. LaMastra noted that the 3 recent retirees deserve to be recognized. Mayor Rustin will reach out to Lt. Siegel, Lt. Faivre, and Mr. Eckel to determine which public meeting they will be able to attend and the Borough Clerk will prepare a proclamation to be presented. C. Barzelatto mentioned creating an awards committee. Mrs. Thompson-Chin responded that once an awards program has been structured a committee can be part of it and that during the budget meetings, a small appropriation of funds have been designated for this program.

Mayor Rustin advised that he will be attending Mayor's Legislative Day tomorrow and will take the opportunity to notify the DCA that the COAH Spending Plan is on its way.

C. Barzelatto informed Council that the funeral for former Tenafly Police Chief Nicodemus Amicucci will be held tomorrow. His son recently retired as a Police sergeant. He was at the viewing earlier this evening.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Kerge, second by C. LaMastra, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk