

Borough of Tenafly

Annual Meeting of the Mayor and Council

Council Chambers, Borough Hall
Municipal Center
100 Riveredge Road, Tenafly, New Jersey

Sunday, January 2, 2011

4:00 P.M.

MINUTES

At 4:06 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 listed in the Annual Agenda; copies are sent to the Press Journal, Record, Suburbanite, Northern Valley News and posted on the bulletin board in the lobby of the Municipal Center."

The Salute to the Flag was led by Mayor Peter Rustin.

Borough Clerk Lissette Aportela-Hernandez called the roll of the present Council, which consisted of Mayor Peter Rustin and Council members Anthony Barzelatto, Nadia LaMastra, Michael Lattif, and Jon Warms.

An invocation was given by Rabbi Mordechai Shain.

County Executive Kathleen Donovan administered the Oath of Office to Council-Elect Honig. C. Honig thanked Ms. Donovan and his family. He stated that he is looking forward to working with the Council this year, putting party labels aside to make tough choices with a limited budget. C. Honig took his seat on the dais.

County Executive Kathleen Donovan administered the Oath of Office to Council-Elect Kerge. C. Kerge thanked the residents for bringing her back and expressed her intention to serve with honor and distinction. She stated that she is here to work for all of the people and will always have an open door and open ear policy. C. Kerge took her seat on the dais.

Borough Clerk Lissette Aportela-Hernandez called the roll of the 2011 Mayor and Council.

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Barry Honig, Martha Kerge, Nadia LaMastra, Michael Lattif, and Jon Warms

ABSENT: None.

ALSO

PRESENT: Borough Administrator Jewel Thompson-Chin

Appointment of Borough Attorney.

Mayor Rustin appointed William R. McClure Esq. to serve as Borough Attorney in 2011 and asked for confirmation of his appointment by the Council.

#R11-01/Confirmation of Appointment of Borough Attorney

Motion by C. Barzelatto, second by C. Lattif.

WHEREAS, the Mayor and Council has resolved to award the position of Borough Attorney through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Borough Attorney's contract will exceed \$17,500; and

WHEREAS, **William R. McClure, Esq.**, has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that he and his law firm have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render him ineligible to be awarded this contract, and that the proposed contract prohibits him and his law firm from making any such reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Mayor's appointment of **William R. McClure, Esq.** to serve as Borough Attorney is hereby confirmed, and the Mayor and Borough Clerk are authorized to sign the proposed contract submitted by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure and the Determination of Value be placed on file with this Resolution.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	nay	C. Lattif:	aye
C. Kerge:	nay	C. Warms:	aye

Oath of Office was administered to Borough Attorney by Kathy McClure, Esq.

Mayor Rustin recognized Assemblyman Gordon Johnson who expressed that 2011 was to be a difficult year with 2% CAP. He asked that the residents to support this Council and all elected officials and that together they will work to maintain the quality of life. He concluded by wishing C. Honig and C. Kerge luck.

Selection of Council President for 2011.

Mayor Rustin asked the Council for nominations for Council President. C. Lattif nominated C. LaMastra with a second by C. Barzelatto. No other nominations were made.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

PUBLIC COMMENTS:

Bruce Baker, 1 Byrne Lane, congratulated C. Honig and C. Kerge. He also commended the DPW and Police Department for the great job that they did during the recent storm.

#R11-02/Adopt Robert's Rules of Order

Motion by C. Barzelatto, second by C. Lattif and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Robert's Rules of Order, as revised, be adopted, and that they be considered and deemed the rules of conduct by the Mayor and Council for the year 2011 until amended.

#R11-03/Confirm Time and Place for 2011 Regular Meetings

Motion by C. Honig, second by C. Lattif and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that the Regular Public Meetings for the year 2011 shall be held on the second Tuesday of each month at 7:45 p.m. and on the fourth Tuesday of each month (with the exception of July, August and December) at 8:30 p.m. in the Council Chambers, and each will end no later than 11:00 p.m.; prior thereto, the Mayor and Council will convene no earlier than 7:30 p.m. in the Richard D. Wilson Committee Room to discuss the agenda. Council Work Sessions shall be held on the first Tuesday of each month at 7:30 p.m. and on the fourth Tuesday of each month (with the exception of July, August and December) in the Richard D. Wilson Committee Room, and each will end no later than 11:00 p.m. No formal action is taken at Committee of the Whole meetings. There are some exceptions to the above meeting schedule when there are conflicts

with Election Days or observed Holidays. All meetings shall be held in Borough Hall in the Municipal Center, 100 Riveredge Road, Tenafly, New Jersey. Pursuant to NJSA 10:4-18, notice of the annual meeting schedule shall be published and posted on the public bulletin board in the lobby of Borough Hall and on the Borough's website, said notice to include any conflicts with the above schedule and the official list of Holiday observances when Borough Hall will be closed. Any changes to the above schedule will be noticed according to law.

BE IT FURTHER RESOLVED that no Tenafly Recreation football games or practices shall be scheduled during the Rosh Hashanah and Yom Kippur observances.

#R11-04/Authorize Consent Agenda and Adoption of Minutes at Regular Meetings

Motion by C. Kerge, second by C. LaMastra and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly that there shall be an item of business entitled "Consent Agenda" at each regular public meeting of the Mayor and Council for routine matters not requiring discussion, said routine matters having been so designated at the preceding Committee of the Whole Meeting and all such Consent Agenda resolutions shall be spread in full in the minutes of the public meeting.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that the Minutes of the previous meeting need not be read by the Borough Clerk at the following meeting, provided that a true copy thereof has been delivered to the Mayor and Council, Administrator, Chief Financial Officer and Borough Attorney.

#R11-05/Designate Official Newspapers

Motion by C. LaMastra, second by C. Warms and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, in accordance with NJSA 40:53-1, that The Record and The Press Journal be designated as the official newspapers for legal notices for the Borough of Tenafly.

BE IT FURTHER RESOLVED that The Record, The Press Journal, Suburbanite, and Northern Valley News be designated as the official newspapers for all Open Public Meetings Act (OPMA) notices for the Borough of Tenafly for the calendar year 2011.

#R11-06/Confirm Process for Determination of 2011 Salaries

Motion by C. Lattif, second by C. LaMastra and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey that the question of salaries for the year 2011 be referred to the Committee of the Whole.

#R11-07/Confirm Elected Officers to the Tenafly Fire Department

Motion by C. Warms, second by C. LaMastra and unanimously approved:

BE IT RESOLVED in accordance with Borough Code Chapter 2, section 2-47.10b, that the following election of Fire Chief Richard Philpott and Assistant Chief Chris Robins to the Tenafly Fire Department is hereby confirmed.

#R11-08/Confirm Appointment of Borough Auditor

WHEREAS, Mayor and Council has resolved to award a one-year contract for the position of Borough Auditor through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Auditor's contract for 2011 will exceed \$17,500; and

WHEREAS, **Steven Wielkotz, RMA**, has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that he and his accounting firm have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render him ineligible to be awarded a contract to serve as Borough Auditor; and

WHEREAS the proposed contract prohibits **Steven Wielkottz** and his accounting firm from making such reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that the appointment of **Steven Wielkottz** is confirmed by the Council, and the Mayor and Borough Clerk are authorized to sign the proposed contract engaging **Steven Wielkottz** as the Borough Auditor for 2011; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

C. Kerge requested that this resolution be tabled. Motion by C. Kerge, second by C. Lattif to table this resolution to the January 4th Work Session for discussion and January 11th Public Meeting for action.

On a roll call, vote to table Resolution #R11-08 was recorded as follows:

C. Barzelatto:	nay	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	nay

#R11-09/Confirm Appointment of Labor Counsel

WHEREAS, Mayor and Council has resolved to award a one-year contract for the position of Labor Counsel through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Labor Counsel's contract for 2011 will exceed \$17,500; and

WHEREAS, the firm of **Robert A. Silber, Esq.** has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that the said firm and its principals have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render the firm ineligible to be awarded a contract to serve as Labor Counsel; and

WHEREAS the proposed contract prohibits **Robert A. Silber, Esq.** and its principals from making such reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S.A. 40A:9-140, the appointment of **Robert A. Silber, Esq.** is confirmed by the Council, and the Mayor and Borough Clerk are authorized to sign the proposed contract engaging **Robert A. Silber, Esq.** as the Labor Counsel; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

C. Kerge asked that this resolution also be tabled. Motion by C. Kerge, second by C. Lattif to table Resolution #R11-09 to January 4th Work Session for discussion and January 11th Public Meeting for action.

On a roll call, vote to table Resolution #R11-09 was recorded as follows:

C. Barzelatto:	nay	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	nay

#R11-10/Confirm Appointment of Bond Counsel

Motion by C. Barzelatto, second by C. Warms.

WHEREAS, Mayor and Council has resolved to award a one-year contract for the position of Bond Counsel through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Bond Counsel's contract for 2011 will exceed \$17,500; and

WHEREAS, the firm of **Lomurro, Davison, Eastman, & Munoz, PA** has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that the said firm and its principals have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render the firm ineligible to be awarded a contract to serve as Bond Counsel; and

WHEREAS the proposed contract prohibits **Lomurro, Davison, Eastman, & Munoz, PA** and its principals from making such reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S.A. 40A:9-140, the appointment of **Lomurro, Davison, Eastman, & Munoz, PA** is confirmed by the Council, and the Mayor and Borough Clerk are authorized to sign the proposed contract engaging **Lomurro, Davison, Eastman, & Munoz, PA** as the Bond Counsel; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-11/ Confirm Appointment of Borough Engineer

WHEREAS, Mayor and Council has resolved to award a one-year contract for the position of Borough Engineer through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Borough Engineer's contract for 2011 will exceed \$17,500; and

WHEREAS, the firm of **Schwanewede/Hals Engineering** has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that the said engineering firm and its principals have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render the firm ineligible to be awarded a contract to serve as Borough Engineer; and

WHEREAS the proposed contract prohibits **Schwanewede/Hals Engineering** and its principals from making such reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S.A. 40A:9-140, the appointment of **Schwanewede/Hals Engineering** is confirmed by the Council, and the Mayor and Borough Clerk are authorized to sign the proposed contract engaging **Schwanewede/Hals Engineering** as the Borough Engineer; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

C. LaMastra requested that this resolution be tabled. Motion by C. LaMastra, second by C. Honig, to table Resolution #R11-11 to the January 4th Work Session for discussion and January 11th Public Meeting for action.

On a roll call, vote to table Resolution #R11-11 was recorded as follows:

C. Barzelatto:	nay	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	nay

#R11-12/Confirmation of Mayor's Appointments

Motion by C. LaMastra, second by C. Barzelatto.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey that all of the following appointments are hereby confirmed for a one-year term to expire on January 1, 2012.

Prosecutor	Mark Fierro, Esq.
1 st Alternate Municipal Prosecutor	Thomas Betancourt, Esq.
Public Defender	Miriam Z. Reyes, Esq.
Borough Historian	Alice Rigney
Assistant Historian	Paul Stefanowicz

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

MAYOR’S APPOINTMENTS TO THE PLANNING BOARD

PLANNING BOARD	Term	Expires
Mary Beth Wilmit, Class IV	4 years	12/31/14
Jeff Toonkel, Class II	3 years	12/31/13
Steven Greene, Class IV (Cho’s unexpired term)	2 years	12/31/12
Eugene Marcantoni, Alt. #1 (Greene’s unexpired term)	1 year	12/31/11
John Kim, Alt. #2	2 years	12/31/12

#R11-13/Appointment of Class III Member to Planning Board

Motion by C. Barzelatto, second by C. Warms

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey that Councilmember Warms is hereby designated as a Class III member of the Planning for a one-year term to expire on December 31, 2011.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	nay
C. Honig:	nay	C. Lattif:	nay
C. Kerge:	nay	C. Warms:	aye

The Mayor asked if there was another nomination for this position and C. Kerge suggested C. Honig.

Motion by C. Kerge, second by C. Lattif.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey that Councilmember Honig is hereby designated as a Class III member of the Planning for a one-year term to expire on December 31, 2011.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	nay	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	nay

MAYOR’S APPOINTMENTS TO THE BOARD OF ADJUSTMENT

BOARD OF ADJUSTMENT	Term	Expires
Paul T. Brensilber	4 years	1/1/15
Timothy Farrell (Lorenzo’s unexpired term)	2 years	1/1/13
Kirk Lofberg, 1 st Alternate (Farrell’s unexpired term)	1 year	1/1/12
Mitchell Liberman, 2 nd Alternate	2 years	1/1/13
Martha Kerge, Council Representative	1 year	1/1/12

MAYOR’S APPOINTMENTS TO THE ENVIRONMENTAL COMMISSION

ENVIRONMENTAL COMMISSION	Term	Expires
Joseph McDermott	3 years	12/31/13
Jeff Toonkel, PB Class II Member	3 years	12/31/13
Joseph Lavin, 2 nd Alternate	2 years	12/31/12
Jon Warms, Council Representative	1 year	12/31/11

MAYOR’S APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION

HISTORIC PRESERVATION COMMISSION	Term	Expires
Karen Neus (Class C)	4 years	12/31/14
Janice Jacobs, 2 nd Alternate	2 years	12/31/12
Martha Kerge, Council Representative	1 year	12/31/11

#R11-14/Confirm Appointments to the Board of Health

Motion by C. Lattif, second by C. Honig and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointments to the Board of Health are hereby confirmed.

	Term	Expires
Galit Sacajiu	4 years	1/1/15
Hugh Evans	4 years	1/1/15
Jon Warms, Council Representative	1 year	1/1/12

#R11-15/Confirm Appointments to the Library Board of Trustees

C. LaMastra expressed her concern that the Mayor’s Representative to the Library Board was not a member of the Council. C. Honig also questioned whether the nomination of Patrick Rouse would be a beneficial choice. It was decided to nominate C. Honig as the Mayor’s Representative to the Library Board in place of Soon Johng and to vote on each nomination individually.

Motion by C. Barzelatto, second by C. Warms:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointment to the Library Board of Trustees is hereby confirmed.

	Term	Expires
Patrick Rouse	5 years	1/1/16

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	nay	C. Lattif:	nay
C. Kerge:	abstain	C. Warms:	aye
Mayor Rustin:	aye		

#R11-15a/Confirm Appointments to the Library Board of Trustees

Motion by C. Barzelatto, second by C. Warms:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointment to the Library Board of Trustees is hereby confirmed.

	Term	Expires
Mabel Allen	5 years	1/1/16

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-15b/Confirm Appointments to the Library Board of Trustees

Motion by C. Barzelatto, second by C. Warms:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointment to the Library Board of Trustees is hereby confirmed.

	Term	Expires
Barry Honig, Mayor's Representative	1 year	1/1/12

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-16/Confirm Appointments to the Recreation Board

Motion by C. LaMastra, second by C. Kerge.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointments to the Recreation Board are hereby confirmed.

	Term	Expires
Steve Hamersma	5 years	1/1/16
Nadia LaMastra, Council Representative	1 year	1/1/12

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-17/Confirm Appointments to the Advisory Committee for the Disabled

Motion by C. LaMastra, second by C. Honig.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointments to the Advisory Committee for the Disabled are hereby confirmed.

	Term	Expires
Joseph N. Reilly	2 years	1/1/13
Andrew Pecorella	2 years	1/1/13
Rebecca Moldover	2 years	1/1/13
Jonathan Moldover	2 years	1/1/13
Barry Honig, Council Representative	1 year	1/1/12
Robert Byrnes, Sr., Construction Official	1 year	1/1/12
J. Robert Beutel, DPW rep.	1 year	1/1/12
Anthony Favorito, Recreation Dept. rep.	1 year	1/1/12
Vincent Benenati, School District rep.	1 year	1/1/12
Gerry Migliore, (CVS), Bus. Community rep.	1 year	1/1/12

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-18/Confirm Appointments to the District Management Corporation

Motion by C. LaMastra, second by C. Kerge

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that all of the following appointments to the District Management Corporation are hereby confirmed.

	Term	Expires
Keith Alliotts	1 year	1/1/12
Stacy Esser	1 year	1/1/12
Nadia LaMastra, Council Representative	1 year	1/1/12

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

ADDITIONAL APPOINTMENTS BY MAYOR RUSTIN

Note: The appointments to the following non-statutory Committees do not require Council confirmation.

YOUTH SERVICES ADVISORY COMMITTEE	Term	Expires
Judith Lipson	3 years	1/1/2014
Anthony Barzelatto, Council Representative	1 year	1/1/2012

SENIOR CITIZENS SERVICE COMMITTEE	Term	Expires
Mehru Cama	3 years	12/31/13
Angela Bracconeri	3 years	12/31/13
Leonard Steinfeld	3 years	12/31/13
Julie Villafuerte, Senior Citizens Services Director	1 year	12/31/11
Michael Lattif, Council Representative	1 year	12/31/11

TENAFLY WELCOME! COMMITTEE	Term	Expires
April Uram	2 years	12/31/12
Roxana Surrey	2 years	12/31/12
Phyllis Lin	2 years	12/31/12
Leslie Wickham	2 years	12/31/12
Judith Lipson	2 years	12/31/12
Diana Buck	2 years	12/31/12
Nadia LaMastra, Council Representative	1 year	12/31/11

EMERGENCY MANAGEMENT
 Anthony Barzelatto, Emergency Management Coordinator
 Sgt. David Epstein, Deputy Emergency Management Coordinator

BOROUGH/JOINT USE COMMITTEE
 Mayor Rustin, Councilwoman LaMastra, Councilman Honig

TENAFLY NATURE CENTER
 Jon Warms, Council Representative

TENAFLY PRESENTS
 Jon Warms, Council Representative

TENAFLY CHAMBER OF COMMERCE
 Jon Warms and Nadia LaMastra, Council Representatives

AD HOC COMMITTEE (1 year term) - TRANSPORTATION COMMITTEE
 Mayor Peter Rustin
 Councilman Michael Lattif
 Kevin Tremble, Historic Preservation Commission

Michael P. Bruno, Police Chief
Joseph McDermott
Howard Seiden
Byron "Gus" Allen, Jr.
Michael Bishop
Michael Sudnow

Appointment of Council Liaison to the Tenafly Fire Department

Anthony Barzelatto, Council Representative

Appointment of Board of Police Commissioners

Mayor Rustin, Councilwoman LaMastra, Councilman Barzelatto.

C. Honig expressed his concern that C. Barzelatto is being appointed as Emergency Management Coordinator as well as the Council Representative to both the Fire Department and Police Commission. He questioned whether the Emergency Management Coordinator receives a stipend to which the Mayor responded that they do. He voiced his objection to a Councilmember receiving a stipend. He also expressed his opinion that this role requires someone who has ready access to Tenafly. Mayor Rustin explained that although this position does not have to be filled by a member of the Council, there are a very limited number of people eligible to serve. He stated that he had spoken to Chief Bruno regarding C. Barzelatto's availability during emergencies and Chief Bruno expressed that he was satisfied with C. Barzelatto's presence. In regard to the Mayor's appointment of C. Barzelatto to Police Commission, C. Honig expressed his opinion that this position should be filled by someone who has his eye toward cost containment and control. Mayor Rustin stated that his appointments would remain.

Appointment of Council Liaison to Tenafly Volunteer Ambulance Corps

Councilwoman LaMastra, Council Representative.

#R11-19/Designate Official Depositories

Motion by C. Barzelatto, second by C. LaMastra and unanimously approved, with the exception of C. Honig who chose to recuse himself as Bank of America is one of his clients.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that the following financial institutions be designated the official depositories of the Borough of Tenafly for the year 2011:

Bank of America, PNC Bank, State of New Jersey Cash Management Fund, MBIA-Municipal Investors Service Corp, TD Bank, Valley National Bank and NVE Bank.

#R11-20/Appoint Tax Search Officer

Motion by C. Honig, second by C. LaMastra and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Lily Tom be and is hereby appointed Tax Search Officer to serve during the year 2011.

#R11-21/Appoint Insurance Commissioner

Motion by C. Kerge, second by C. Lattif, and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Carol C. Byrne be and is hereby appointed Insurance Commissioner of the Bergen County Municipal Joint Insurance Fund to serve during the year 2011 and that the Borough Administrator, Jewel Thompson-Chin is hereby appointed Alternate Insurance Commissioner in the absence of Carol C. Byrne.

#R11-22/Appoint Official Municipal Improvement Searcher

Motion by C. LaMastra, second by C. Honig and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Lissette Aportela-Hernandez, Borough Clerk, be and is hereby appointed Official Municipal Improvement Searcher to serve during the year 2011; and

BE IT FURTHER RESOLVED that the fee charged for each certificate as to liability for assessment for Municipal Improvement shall be the same as the fee charged by the Tax Search Officer for a Tax Search Certificate.

#R11-23/Ratify Public Official Bonds/Finance Office

Motion by C. Lattif, second by C. LaMastra and unanimously approved:

WHEREAS, N.J.S.A. 40A: 5-34 requires every officer or employee who is entrusted with the receipt, custody or expenditure of money or funds, to execute and deliver his bond, or be bonded to the municipality in its corporate name, and conditioned for the true and faithful performance of his duties; and

WHEREAS, Public Official Bonds have been submitted for Gene Vinci as Chief Financial Officer of the Borough of Tenafly and Lily Tom as Tax Collector and Tax Search Officer of the Borough of Tenafly.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby ratify the Public Official Bonds, in the amount of \$350,000 to cover the position of Chief Financial Officer, and in the amount of \$150,000 to cover the position of Tax Collector/Tax Search Officer, all for the term of January 1, 2011 through December 31, 2011, which bonds shall be kept on file in the Office of the Borough Clerk, as required by law.

#R11-24/Appoint Acting Borough Clerk and Acting Official Improvement Search Officer

Motion by C. Warms, second by C. Kerge and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Borough Administrator Jewel Thompson-Chin be and is hereby appointed Acting Borough Clerk and Acting Official Improvement Searcher to act only in the absence of the Borough Clerk and Official Improvement Searcher, effective through December 31, 2011.

#R11-25/Appoint Deputy Treasurer

Motion by C. Barzelatto, second by C. LaMastra and unanimously approved:

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Mary Heeney be and is hereby appointed Deputy Treasurer to act only in the absence of the Treasurer, effective through December 31, 2011.

#R11-26/Appoint Apportionment Officer

Motion by C. Honig, second by C. LaMastra and unanimously approved:

WHEREAS, N.J.S.A. 54:7-7 authorizes the Mayor and Council to name a municipal official to apportion liens against real property among subdivisions thereof in appropriate cases pursuant to N.J.S.A. 54:7-1 et seq.

NOW THEREFORE BE IT RESOLVED that Assessor Carol C. Byrne, CTA, is hereby named Apportionment Officer of the Borough of Tenafly for 2011; and

BE IT FURTHER RESOLVED that the said Carol C. Byrne is authorized and directed to apportion liens against real property in the Borough of Tenafly among subdivisions thereof pursuant to N.J.S.A. 54:7-1 et seq., subject to further resolutions of the Mayor and Council.

#R11-27/Authorize Adjustments/Assessor

Motion by C. Kerge, second by C. Warms and unanimously approved:

WHEREAS, there exist discrepancies on the 2011 tax roll.

NOW THEREFORE BE IT RESOLVED that the Tax Collector, upon the recommendation of the Assessor is hereby authorized to appeal to the Bergen County Board of Taxation for corrections in assessed valuations of increase and decrease.

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to the Bergen County Board of Taxation.

#R11-28/Authorize Stipulations/Assessor

Motion by C. LaMastra, second by C. Lattif and unanimously approved:

WHEREAS, N.J.A.C. 18:12A-1.6(c) requires that via properly adopted resolution, a municipal agent may be designated and authorized to act on behalf of the municipality; and

WHEREAS, the Mayor and Council of the Borough of Tenafly Bergen County, New Jersey, has determined that Assessor Carol C. Byrne, CTA, should act as its agent in its tax appeal matters.

NOW THEREFORE BE IT RESOLVED that the Assessor be and is hereby authorized to appeal to the Bergen County Board of Taxation to enter into stipulations for corrections in assessed valuations; and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to the Bergen County Board of Taxation.

#R11-29/Authorize Semi-Monthly Payrolls

Motion by C. Lattif, second by C. LaMastra and unanimously approved:

BE IT RESOLVED that the Treasurer is authorized to issue semi-monthly checks for base payroll for employees of the Borough of Tenafly in accordance with the Salary Ordinance in effect and to report same to the Mayor and Council; and

BE IT FURTHER RESOLVED that any special compensation, including overtime payroll, shall be paid by the Treasurer only after having been authorized and ratified or approved at a meeting of the Mayor and Council.

#R11-30/Appoint Risk Management Consultant

Motion by C. Warms, second by C. Kerge and unanimously approved:

WHEREAS as members of the Bergen County Municipal Joint Insurance Fund, the Borough of Tenafly must appoint a Risk Management Consultant annually; and

WHEREAS, Mayor and Council has resolved to award a one-year contract for the position of Risk Management Consultant through a non-competitive process pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the Risk Management Consultant's contract for 2011 will exceed \$17,500; and,

WHEREAS, the firm of **Eifert, French & Co., Inc.** has submitted a proposed contract and has completed and submitted a Business Entity Disclosure Certification which certifies that the said firm and its principals have not made any contributions to any political or candidate committee in the Borough of Tenafly in the previous one year that would render the firm ineligible to be awarded a contract to serve as Risk Management Consultant, and

WHEREAS the proposed contract prohibits **Eifert, French & Co., Inc.** and its principals from making such reportable contributions through the term of the contract, and

NOW THEREFORE BE IT RESOLVED, that in compliance with N.J.S.A. 40A:11-5(m) and in further compliance with N.J.S.A. 19:44A-20.5, the Borough of Tenafly does hereby appoint **Eifert, French & Co., Inc.** as its Risk Management Consultant for the year 2011, and the Mayor and Borough Clerk are hereby authorized to execute a contract on behalf of the Borough of Tenafly; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

#R11-31/Appoint Public Agency Compliance Officer

Motion by C. Barzelatto, second by C. LaMastra and unanimously approved:

WHEREAS, NJAC 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, NJAC 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Tenafly, Bergen County, New Jersey, that Borough Clerk, Lissette Aportela-Hernandez, be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2011.

#R11-32/Reaffirm Borough Personnel Manual for 2011

Motion by C. LaMastra, second by C. Kerge.

BE IT RESOLVED that the Personnel Manual adopted on July 11, 2002 via Resolution #R02-206 and as amended formally from time to time, is hereby reaffirmed for 2011.

C. Honig stated that he has not had the opportunity to read the personnel manual and will not reaffirm it as he feels it needs inspection and review. C. Lattif stated that although he understands C. Honig's concern, the manual will be under review this year to reflect a more realistic view. Mayor Rustin agreed that the review of the personnel manual should be placed on an upcoming agenda.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	abstain	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

#R11-33/Designate Locations for Temporary Signage Displays

Motion by C. Kerge, second by C. LaMastra and unanimously approved:

BE IT RESOLVED in accordance with Borough Code Chapter 14, section 14-1.13c, that the following locations are hereby approved for the temporary display of signs on public property by non-profit organizations upon application to the Department of Code Enforcement:

Northwest Corner of 9W at East Clinton Avenue
Northeast Corner of West Railroad Avenue and Riveredge Road
Southwest Corner of Tenafly Road and Riveredge Road
South end of West Railroad Avenue at West Clinton Avenue (grassy area)

CONSENT AGENDA/FINANCIAL RESOLUTIONS

Motion by C. LaMastra, second by C. Lattif that the Consent Agenda will be approved as submitted.

#R11-34/Temporary Budget 2011

#R11-35/Interest Rate/Delinquent Taxes 2011

#R11-36/Official Depositories/Authorized Signatures

#R11-37/Petty Cash Funds

#R11-38/Investment of Surplus Current Funds 2011 and to Authorize Transfer of Current Operating Funds

#R11-39/Authorization of Wire Transfers

#R11-40/Approval/Cash Management Plan

#R11-41 /Adopt 2011 Meeting Schedule/Holiday Calendar

C. Honig chose to recuse himself from voting on #R10-36 as it pertains to the Bank of America, one of his clients.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	recused	C. Lattif:	aye
C. Kerge:	aye	C. Warms:	aye

Mayor to recognize new members of Boards, Commissions and Committees.

None present.

Mayor to recognize former Mayors, Council Members and members of the Board of Education present.

Mayor Rustin recognized former Councilmembers Joe Salvatore, Bobby Thompson, Evelyn Comer, Mark Feldman, and John Sullivan. He also acknowledged the Mayor of Alpine, Paul Tomasko. Mayor Tomasko wished the new Council all the best in this upcoming year.

Mayor's State of the Borough Address.

Good afternoon, and welcome. With two new faces on the governing body, Tenaflly can look forward to new energy and fresh ideas and if you read the newspapers you understand how desperately government today needs fresh ideas and new energy. If governments at any level were private businesses, many if not most would either be in bankruptcy or approaching it. We need only to look to our State capital, where a new governor was elected a year ago after he identified the severity of the state's financial issues and promised to take a new approach to address them. As voters we immediately agreed that a new approach was necessary. Governor Christie replaces a brilliant man, an extremely successful businessman who made a personal fortune for himself but in four years could not turn around the financial fortunes of our nearly bankrupt State. At our level we felt a huge impact from Governor Corzine's failures. State mandates continued to drain local municipality's treasuries and at the same time State aid continued to decrease.

Here in Tenaflly, we are far better off than most towns. Thanks to superior financial counseling we did not take the path of least resistance and drop our surplus below prudent levels. We increased our reserve for uncollected taxes. We have allowed ourselves to take advantage of the natural attrition of our work force by continuing a hiring freeze for over a year. As a result Tenaflly municipal government is currently a lean, efficient model of local government. So why, as I look out on this New Year's Day audience, do I have a sense that this will be an extremely difficult year? The answer is very complex but can be summed up quite concisely, our property taxes which make up almost all of the revenue that we receive at Borough Hall; our property taxes are out of whack, too high, and we are pricing our town out of reach not only of potential new residents, but many of our long term residents as well. Last year we failed to address this issue to anyone's satisfaction. We toiled for over six months trying to put a budget in place that would address the property tax issue and we did not get it done. This year we will try again only certain aspects of the process have changed. Now there is a new CAP or limit on what we can budget and it is a much harder CAP. Many people fail to understand how if last year there was a 4% CAP on the increase of property taxes how many municipal increases could go well over 4%. Tenaflly did and our increase was not that unusual. Many towns had increases greater than 10%. That is because last year's CAP was what is called a soft CAP; that is a CAP with many exclusions, some of which we were able to use to end up where we finished with our budget. This year, the CAP not only is 2% rather than 4% but it is a much harder CAP, a CAP with far fewer exceptions. Our goal as I see it is for Tenaflly to be below the 2% CAP. Perhaps others on the governing body would like to see even less of an increase, perhaps no increase at all. It is an admirable goal, and if it is attainable who would not support it? But I would ask that we take a minute and look at two budget issues just as an example of the decisions before us and the impact they may have for the town. Last year Mayor and Council made the decision not to hire any temporary labor for the DPW this past Fall. This temporary labor was used primarily for leaf pickup ever Autumn. Without those temporaries, as well as the loss of several full time employees through attrition, our DPW was extremely short-handed during the leaf pickup season. Instead of having five or six crews out daily picking up leaves, we only had two or three. Saturday leaf pickup was eliminated to restrict overtime. As a result, the leaves piled up on the

streets as never before. Fortunately, the snow did not fall early this year and the leaves were all removed before this past blizzard. Had the blizzard come in early December, our streets would look differently today.

For February 2011 we are considering a change in the garbage pickup from twice a week to once a week in Tenafly. This once a week pickup will remain in effect until the end of May. From June until the end of August, there will be twice a week pickups and the starting September 1st, once a week pickup will begin again. This change in policy will save Tenafly around \$150,000 a year. The annual property tax savings to a homeowner will be approximately \$33.00 a year.

Those two examples illustrate exactly what we are up against. Two services, neither of them insignificant and yet eliminating those jobs at DPW last year still did not allow us the ability to lower taxes last year, and the reduction in the garbage pickup service will also have minimal impact on our bottom line. So what is the answer? I believe we need to try to review every facet of our Municipal operations. As we negotiate with our employees, we need to establish a sense of realism in our negotiations. It is no longer business as usual. Our employee work force at Borough Hall is excellent but an understanding must be reached which takes into account the Borough's precarious economic status. We need to prioritize our services and decide what is essential and what is a luxury. Luxuries must either be self-supporting or at least more self-sufficient. And finally the members of the governing body must unite in a common cause, because if we are to address the challenges before us, we need to do so without the distractions of politics and personalities.

2010 saw the completion of one major capital project in Tenafly and the start of another. The Dean Drive drainage project is complete and the hardships endured by the residents on Engle, Oak, and Elm Streets has been drastically reduced to the point that the road no longer needs to be closed for long periods of time, impacting commuters and emergency vehicles headed to Englewood Hospital. Work on the expansion of the Police Station has started, and included in the project is a level of oversight that should allow the project to be completed successfully.

No review of 2010 would be complete without noting the hiring of a new Borough Administrator and new Borough Clerk. Tenafly was extremely fortunate to replace two long-term employees with two professionals of the highest quality, Borough Administrator Jewel Thompson-Chin and Borough Clerk Lissette Aportela-Hernandez. Both were hired after lengthy searches which attracted dozens of competent, well-qualified applicants. The governing body should be commended on the quality of their searches.

Looking forward to 2011, there will be some disruption at Borough Hall as construction moves forward on the Police Station. The re-valuation will produce lower assessments throughout our town and a higher tax rate, not higher taxes. We should conclude work in Davis-Johnson Park and on the bandstand in Huyler Park. The B.I.D., Business Improvement District, will start to function and hopefully work alongside the Chamber of Commerce in an effort to continue to revitalize our downtown. I would also be interested in the concept of a long-term Planning Committee, one that does not infringe on our Planning Board or BID but a committee that might meet to first brainstorm and then perhaps work in conjunction with the Planning Board, the BID and the governing body. With commercial property values shrinking, and with significant vacancies in our business district, now is the time to identify and analyze planning opportunities that exist in an effort to create significant future ratables. Councilman Lattif and Honig are two people in particular that I feel might have an interest in this.

We also need to put the finishing touches on our response to the referendum of this past November. We need not minimize the importance of the rail issue to our community. And lastly over the past year I personally have been approached by dozens of residents asking for a dog park. Some members of the Council may recall that at our request a location was identified for such a facility and I am convinced that it could be built at little or no expense to the Borough. I will ask that this be placed on an agenda in February for discussion.

In closing, I ask that we look to Trenton and acknowledge what is happening there. A year ago, a Governor came in with great intentions determined to change the way New Jersey does business. The jury is still out whether or not he will succeed. However, we can learn from his successes and from his failures. It does not pay to blame past failures on any one group or your employees. Trenton has the advantage of passing down unfunded mandates to municipalities, thus lowering the State's costs and negatively impacting the Municipalities. In the long run that does not improve the property tax situation. I prefer to look to the example set in the City of Atlanta where City Hall partnered with the city's employees and together they brought the city back

from the edge of insolvency. I suggest to the governing body that we partner with our employees to get Tenaflly where we want it to be. Otherwise there can be no job security and no acceptable level of wages and benefits. Negotiations cannot be done at Public Meetings or in the newspapers. We must give our professionals direction and let them do their jobs. And speaking of our professionals, in this economic climate I am 100% convinced that we could not possibly change our most important professionals without incurring significant cost increases and I maintain that the level of services that have been provided to us over the years is more than just good, in most cases it has been excellent. Nevertheless, with the consensus of the governing body, I would suggest that we prepare RFP's sometime in the mid to late summer so that we can be assured that Tenaflly is truly getting the best value for its dollars. In the meantime, we can continue to receive the high quality of service that has been provided in the past at an extremely economical cost.

I would like to thank the members of this audience for their kind attention to this rather lengthy address. Most of what has been said today will soon be forgotten, but the seven of us have before us an opportunity to make changes that will allow Tenaflly to remain the special town it has always been. I look forward to working with the Council towards the goals we have put forward today. Speaking for myself and the members of the Council we thank you the voters of Tenaflly for giving us this opportunity. We will not let you down.

To you and your families, have a very Healthy and Happy New Year.

God Bless America was performed by Cathy Devor-Coppolino, a Tenaflly resident.

Benediction was given by Reverend Dr. Eileen Lindner

Adjournment.

There being no further business to come before the Council, on a motion from C. Kerge, second by C. Honig, and all present voting in favor, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez
Borough Clerk