

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, SEPTEMBER 27, 2011

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
Borough Attorney William R. McClure

At 8:54 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 Record, Suburbanite, and 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.

Motion by C. LaMastra, second by C. Lattif, with C. Kerge abstaining as she was absent on the September 6th, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the September 6, 2011 Work Session, September 13, 2011 Special Closed Session (not to be released), September 13, 2011 Public Meeting, and September 13, 2011 Closed Session (not to be released) are approved as amended.

REVISIONS TO AGENDA:

Borough Attorney McClure advised that a Closed Session is being added to discuss a personnel matter concerning the Borough Clerk's evaluation.

PRESENTATIONS:

Oath of Office for Lt. Michael de Moncada

Lieutenant Michael de Moncada was sworn into office by Borough Attorney McClure. Mayor Rustin commented that Lt. de Moncada has distinguished himself during his career with the Police Department. Mayor Rustin remarked that he was a witness to the promotion process and does not envy Chief Bruno or the members of the Police Commission as there were tremendous candidates within the department. He congratulated Lt. de Moncada and acknowledged the quality of leadership that is present in the Police Department and how it is reflected within the community. He thanked all members of the Police Department for their service and keeping the Borough of Tenafly safe.

PUBLIC COMMENTS:

Melvin Lubens, 33 Stonybrook Road, expressed his opinion that there needs to be better enforcement of Borough codes. He advised that four trees were dropped on his property without his permission and he went to the Building Department to make a complaint. He explained that the contractor did not obtain a permit or give proper notice. Mr. Lubens added that these trees had been removed from a steep slope in an area in which there are already water problems. He advised that although the Code Enforcer came to his property about an hour after he made his complaint, he was told that nothing will be done about it.

Council asked that Borough Administrator Thompson-Chin investigate this complaint and provide a report at the next work session.

CONSENT AGENDA:

- A. **#R11-298**/Approve Expenditures as of September 21, 2011
- B. **#R11-299**/Authorize Refund/Tree Mitigation Escrow/3 Birchwood Place/\$600.00
- C. **#R11-300**/Authorize Renewal of Plenary Retail Consumption License 0261-33-010-008/115 Sanz County Road, LLC for 2010-2011 License Term Pursuant to Special Ruling.

- D. **#R11-301**/Authorize Refund/Soil Moving and New Construction/29 Kenwood Road /\$6,415.00
- E. **#R11-302**/Authorize Refund/Tree Mitigation Escrow/41 Farview Road/\$650.00
- F. **#R11-303**/Authorize Refund/Youth Summer Camp/Caracciolo/\$590.00
- G. **#R11-304**/Authorize Refund/Tree Mitigation Escrow/98 George Street/\$800.00
- H. **#R11-305**/Approve Raffle Application #RA999/Maugham School HSA/10-15-11
- I. **#R11-306**/Adopt the Provisions of Chapter 48/Payment for the State Health Benefits Program (SHBP) coverage of certain retirees.
- J. **#R11-307**/Adopt Environmental Resource Inventory.
- K. **#R11-308**/Authorize Change Order No. 1/Rose Garden Improvements at Davis Johnson Park/Reduction in Final Contract Price.
- L. **#R11-309**/Authorize Refund/Davis Johnson Park Trust Fund/Mendez/\$50.00
- M. **#R11-310**/Authorize Discharge of Lien/Sewer Connection Fee/186 Elm Street
- N. **#R11-311**/Authorize Refund/Soil Moving and New Construction/300 Tenafly Road /\$6,256.05

Motion by C. Lattif, second by C. Barzelatto that the Consent Agenda be approved.

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

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

All members present voting in favor, the Consent Agenda was approved.

PUBLIC HEARINGS:

None.

COMMITTEE REPORTS:

Councilwoman Kerge

No report.

Councilwoman LaMastra

Ms. LaMastra advised that the Joint Use Committee met on Monday and discussed the status of the implementation of the Smith School and Downey Drive Pedestrian and Traffic Circulation Study findings, Aesop program for Borough Hall employees, and the computer network and generator issues during power outages. Ms. LaMastra reported that the Board of Education was very appreciative of the sidewalk, but expressed their disappointment that a sidewalk was not installed on the North side of Downey Drive or the East side of Thatcher Road. Borough Administrator Thompson-Chin has distributed a report from Chief Bruno and Andy Hipolit, Borough Engineer, spelling out their recommendations and a discussion of these recommendations will be placed on next week's agenda. In terms of computer network issues during power outages, the Board reported that the cost to wire in a generator would be \$350,000 due to the location of the computers and therefore, they will be looking into alternate solutions. Borough Administrator Thompson-Chin advised that the Board would meet on their own to discuss a solution to this issue, then the Board would meet with the Council's IT Committee, and the final step would be to bring the proposed solution to the Joint Use Committee. Ms. LaMastra advised that the implementation of the Aesop time reporting system is on hold until contract negotiations are completed so that the number of personal, vacation, and sick time can be inputted for each employee.

As a possible alternative to the generator, C. Warms suggested having tenafly.net mirrored at a second location and this location can be used during a power outage. C. LaMastra responded that the Board is aware of the importance of resolving this issue and they are looking into all possible solutions.

Ms. LaMastra reported that TVAC met on Monday and there are 14 new members. She remarked that they are an excited, energetic, and committed group of individuals.

Ms. LaMastra advised that the Recreation Sub-Committee is halfway through the initial screening process for the new Recreation Director.

The BID met last week and Ms. LaMastra reported that the BID Director is moving along with tasks such as developing a website, branding kit, and way-finding signs.

Councilman Lattif

Mr. Lattif reported that the Transportation Committee met last week and received a revised concept presentation from Urbana. He advised that last year, they had presented concepts for improving traffic flow in the center of town. Although this presentation was well-received, Chief Bruno had comments and the latest presentation reflects the Chief's input. Mr. Lattif expressed his opinion that good solutions were offered to resolve the traffic flow, aesthetics and parking issues downtown and the next step would be for Borough Administrator Thompson-Chin to meet with the consultants to draft a scope of services to present to the entire governing body.

Councilman Warms

Mr. Warms advised that the Environmental Commission/Sustainable Tenafly meetings were cancelled.

Mr. Warms reported that the Nature Center held its Wine Tasting event and it was a very successful gathering.

The Chamber of Commerce was forced to cancel its sidewalk sale as the organizer was unable to meet her commitments. Mr. Warms advised that the Chamber will be planning a Halloween event and Mayor Rustin suggested that the Chamber of Commerce coordinate with Recreation as they are holding a Halloween Parade.

Councilman Honig

Mr. Honig reported that the Planning Board did not grant the variance for the Hedvat/28 Elkwood Terrace subdivision. They will be considering a subdivision at 143 Magnolia Avenue at their next meeting. Mr. Honig advised that the board is currently taking comments on updating the Master Plan. He stated that they have been granted a reprieve as new State regulations require that the Master Plan be presented every 10 years instead of every 6 years.

Mr. Honig stated that the ADA Committee was scheduled to meet Wednesday, but the meeting has been postponed due to a conflict with the Planning Board. When they meet again, they will discuss wheelchair and playground access and have Andy Hipolit and Bob Beutel attend. He expressed his opinion that it is very important to recognize and

help children with disabilities to enjoy our playgrounds.

Mayor Rustin advised that it is the intent of the Planning Board to send the final draft of the Master Plan to Joe Burgis, Planner, after the October 12th meeting. There will be a final review of the document at the first meeting in November and then a public hearing will be scheduled. The final step will be to send to document to the Mayor and Council.

C. Honig advised that the COAH spending plan has received verbal approval, but is waiting on written notice. Mayor Rustin explained this approval will allow the Borough to spend the COAH fees that have been collected.

OLD BUSINESS:

None.

NEW BUSINESS:

C. Barzelatto reported sad news that a former Fire Chief and lifetime member, Alfred Hanabergh, passed away last night. Mayor Rustin advised that the wake is from 4:00 p.m.– 9:00 p.m. on Thursday and the funeral is 10:00 a.m. on Friday.

C. Barzelatto further advised that he had spoken to the Mayor of Cresskill who suggested either forming a committee or having both Councils as whole meet to discuss opportunities for shared services in the Public Works, Fire, Ambulance Corps, and Building Departments. Mayor Rustin expressed his opinion that Cresskill is the town that makes the most sense with which to consider entering into a shared services agreement as he feels it would have the greatest potential for success. C. Honig requested that the Police Department and the full package be looked at for opportunities for shared services. C. Barzelatto also suggested discussing Tenafly's use of Cresskill's Community Center as a part of the shared service opportunities. Council decided that Mayor Rustin should reach out to Mayor Romeo of Cresskill to further discuss this possibility and to list this item for discussion at the next work session.

C. Honig asked whether the governing body could acknowledge the passing of Alfred Hanabergh. C. Barzelatto advised that the Fire Department normally acknowledges the passing of one of their members within the department itself by placing the flag at half staff and placing bunting outside the firehouse. Council decided to plant a tree outside the firehouse in Mr. Hanabergh's honor after the Police Headquarters Renovation Project is completed.

MAYOR'S REMARKS:

Mayor Rustin advised that a letter was received from the County regarding C. Barzelatto's appointment as OEM Coordinator. C. Barzelatto's appointment was for a one-year term whereas the NJ Statute term is three years. As C. Barzelatto was OEM Coordinator prior to being on Council and he has agreed to fulfill the requirements of a three-year term, his appointment will be amended to a three-year term as per state statute. Borough Clerk Aportela-Hernandez will write letter to confirm this amendment.

C. Barzelatto advised that he had attended an OEM meeting at the County and an additional meeting will be scheduled to discuss any and all issues that arose from Hurricane Irene.

Mayor Rustin reported that he attended the Mayor's Dinner and he discovered that Rockland Electric handled Hurricane Irene much better than PSE&G as the liaison from Rockland Electric was actually present during the storm. He advised that he had received a letter from the BPU regarding public hearings. He has been told that there will be additional hearings scheduled in this area and it is his intent to attend.

CLOSED SESSION:

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution #11-312

BE IT RESOLVED in compliance with NJSA 10:4-12, the Mayor and Council of the Borough of Tenafly are going into Closed Executive Session to discuss the following matters:

- A. Personnel
 1. Borough Clerk Evaluation.

Minutes will be taken of the meeting and release to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Richard D. Wilson Committee Room to adjourn this public meeting.

There being no further business to come before the Council, on a motion from C. LaMastra, seconded by C. Honig, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:40 p.m.

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 10:09 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk