

# **Borough of Tenafly**

## **MAYOR AND COUNCIL**

### **MINUTES**

**TUESDAY, JANUARY 11, 2011**

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

**ABSENT:** None

**ALSO**

**PRESENT:** Borough Administrator Jewel Thompson-Chin  
Borough Attorney William R. McClure

At 7:51 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.

**REVISIONS TO THE AGENDA – None.**

**PRESENTATIONS:**

Proclamation/Peace Plaza Plaque to Volunteer Firefighter Benjamin Pearl

Mayor Rustin asked Volunteer Firefighter Benjamin Pearl and C. Barzelatto to come forward. Mayor Rustin read the following proclamation:

WHEREAS, Benjamin Pearl grew up in Tenafly and attended Stillman School, Tenafly Middle School, and Tenafly High school; and

WHEREAS, as a high school student who graduated in 2008, Ben was an avid swimmer and a Varsity soccer player who became The Record's Athlete of the Week for Soccer and made the ALL COUNTY and ALL STATE Teams as a soccer goalie; and

WHEREAS, Ben has served in protecting the lives of others as a life guard at The Tenakill Swim Club and JCC, as a member of the Tenafly Fire Department shortly after high school, and as a member of Hoboken's Ambulance Squad; and

WHEREAS, Ben is leaving on January 18, 2011 for Basic Training for the United States Navy in Illinois for eight weeks and then onto Florida for specialized training in the aviation field.

NOW THEREFORE BE IT RESOLVED that on behalf of the Mayor and Council of the Borough of Tenafly, we appreciate Ben's service to the community as a firefighter and wish him well in his anticipated service to our country. Thank you so very much. We wish you great success and that you return safely home after the conclusion of your service.

Mayor Rustin presented Mr. Pearl with a Peace Plaza Plaque. C. Barzelatto thanked Mr. Pearl for his service to the Borough of Tenafly.

Moment of Silence for Councilman G. Lott Nostrand

Mayor Rustin announced that a Moment of Silence would be observed for Councilman G. Lott Nostrand. Mayor Rustin then acknowledged C. Kerge who announced that former Councilman G. Lott Nostrand had passed away at the age of 92. She remarked that he had served on the Council for three years and was very practical and pragmatic. He always looked to increase

ratables and cut taxes and for those reasons, she expressed her opinion that he would fit in with this Council today. She stated that in her own home, they referred to Mr. Nostrand as a scholar and a gentleman and she felt that he brought those qualities to Tenafly everyday for three years.

C. Honig also asked that the Council acknowledge the victims of the Arizona tragedy, including Congresswoman Giffords.

Oath of Office to Assistant Fire Chief Christopher Robbins

C. Barzelatto announced that Christopher Robbins has been a member of the Tenafly Fire Department for a number of years and not only is he a volunteer here in Tenafly, but he is a paid professional firefighter in the city of Teaneck as well as an instructor in Mahwah. Borough Attorney McClure administered the Oath of Office to Assistant Fire Chief Christopher Robbins.

AUDIENCE REMARKS FOR AGENDA ITEMS: None.

CORRESPONDENCE: None

CONSENT AGENDA

- A. #R11-43/Approve December Expenditures as of January 5, 2011
- B. #R11-44/Approve Interboro Mutual Aid Group Agreement.
- C. #R11-45/Approve Raffle Application #RA983/H.S.A. Tenafly High School/06-09-11.
- D. #R11-46/Amend Resolution 09-310 – Bus Shelter Request.
- E. #R11-47/Authorize 2011 Animal Control Services Contract.
- F. #R11-48/Authorize 2011 Integrated Rat Control Program – Hudson Exterminating Company.
- G. #R11-49/Authorize Refund – Double Payment of Commuter Parking Permit.
- H. #R-11-50/Amend Borough Auditor’s Contract.
- I. #R11-51/Authorize Redemption for Tax Title Lien TTL 10-2.
- J. #R11-52/Authorize Refund for County Board Judgment – Added Assessment.
- K. #R11-53/Authorize Refund for Tax Court Judgment

Motion by C. LaMastra, second by C. Kerge 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

- A. Ordinances – None.
- B. Other – None.

COMMITTEE REPORTS

Councilwoman Kerge

Ms. Kerge announced that she attended the Board of Adjustment meeting and Jeff Grossman was elected as Chairperson. Verizon made further presentation, but the hearing was suspended until March 21<sup>st</sup>. Members of the Council and Nature Center may be asked to testify regarding the two lots in question. T-Mobile’s Franklin Street application was also heard and will be relisted on an upcoming agenda. There were two resolutions to be memorialized at the meeting of March 29<sup>th</sup>.

Councilwoman LaMastra

Ms. LaMastra announced that the Welcome Committee met and will be sending out invitations for their annual Maple Sugaring event for new residents at the Tenafly Nature Center.

The BID had its first meeting and held election of its officers. Norman Dorf will continue as President, Scott Porter as Vice President, Cathy McCauley as Secretary, and Bob Kutik as Acting Treasurer. She reported that the majority of the meeting was spent discussing the Fox report, a ten-page report consisting of pictures, diagrams and observations about the central downtown district. The BID plans to share this report with the governing body. Ms. LaMastra announced that the BID is in the process of hiring a BID director. Ads have been placed and several interviews have been conducted. Ms. LaMastra also reported that she attended a meeting with Mr. Dorf, Borough Administrator, and the CFO to discuss the transferring of funds from the Borough to the BID.

Recreation met yesterday. Fingerprinting, paid for by the Meghan Kanka, will start with the Spring sports. Board members and a recreation employee will be available one or two nights and a Saturday for coaches to be fingerprinted. Ms. LaMastra reported that there was also discussion with Mr. Jaegar, the new Tenafly High School Athletic Supervisor, and Vinny Benenati, Buildings and Grounds Supervisor, about how to better coordinate the use of the athletic fields. The final topic of discussion regarded fees for Recreation programs.

Councilman Lattif

None

Mayor Rustin

Joint-Use Committee discussed how to improve the scheduling of the athletic fields. The Board of Education has a computerized attendance program for employees that might be beneficial for the Borough. There was also discussion of the Board of Education's use of the Reverse 911 system and the possibility of the Borough using this system as well. The committee also talked about buildings and grounds maintenance issues and how the Board of Education and Borough of Tenafly can work together to share costs in these areas.

Mayor Rustin announced that he attended a Mayor's breakfast and the speaker was Kathleen Donovan, the new County Executive. He reported that she was very positive and suggested that everyone should look at shared services, particularly for police and dispatch as well as fire equipment.

Councilman Honig

Mr. Honig added to Mayor Rustin's report on the Joint Use Committee. He stated that the Reverse 911 system will be used to promote more communication between the governing body and the public. Mr. Honig reported that they also discussed the possibility of having common payroll, accounting, and personnel systems in order to reduce costs.

Mr. Honig announced that the Planning Board is scheduled to meet tomorrow.

Councilman Warms

Mr. Warms announced that the Environmental Commission will have its first meeting on January 20<sup>th</sup>.

The Chamber of Commerce's first meeting has been postponed until next week.

The upcoming Nature Center activities include Animal Tracks and Tails on January 20<sup>th</sup>, Bird Watching on January 31<sup>st</sup>, and Full Moon Silent Hike on February 18<sup>th</sup>. He also reminded the public that this year is the Nature Center's 50<sup>th</sup> Anniversary and their Gala Event is to take place on March 6<sup>th</sup>.

Councilman Barzelatto

Mr. Barzelatto reported that Emergency Management had filed paperwork to the County for DPW and Police expenses related to the December 26<sup>th</sup> storm.

Mayor Rustin added that the Borough had received a check in the amount of \$107,000 from FEMA to offset the costs of the storms last winter. He commended Chief Bruno, Chief Philpott, Bob Beutel, Tony Barzelatto, Jewel Thompson-Chin, and Gene Vinci for their hard work in putting together a presentation that allowed the Borough to receive this money. Mayor Rustin also acknowledged the hard work of the DPW in the last storm. He stated that Chez Cheese had written a letter commending them on their cleanup of the downtown.

## OLD BUSINESS

C. Honig expressed his concern over the appointment of Emergency Management Coordinator and issues raised at the Reorganization Meeting held on January 2, 2011. He explained that in his suggesting that the Borough Clerk be named Emergency Management Coordinator, Mayor Rustin responded that she was about to take maternity leave. C. Honig wanted to clarify that the Borough of Tenafly does not discriminate against women who are pregnant or have young children. Borough Attorney McClure advised that if someone is unavailable due to maternity leave, this fact needs to be taken into account when making appointments of this nature. Mayor Rustin pointed out that the main reason for the Borough Clerk being precluded from this position was her not being current in the requirements.

## NEW BUSINESS

### A. Introduction of Ordinances

C. LaMastra moved to introduce and pass on first reading Ordinance 11-01 and set the hearing for January 25, 2011 at 8:00 p.m. or as soon thereafter as the matter can be heard in the Council Chambers of the Tenafly Municipal Center.

Seconded by C. Barzelatto

C. LaMastra read the ordinance into the record:

### ORDINANCE NO. 11-01 – AN ORDINANCE TO AMEND THE SALARY, WAGE OR COMPENSATION OF THE RANK OF POLICE CAPTAIN OF THE POLICE

C. Honig remarked that he had done some research and it appears as though bigger towns with larger populations do not have as many higher-ranking officers. As an example, he explained that Ridgewood is 5.6 sq. miles with a population of 24,000. They currently have one Chief of Police, one captain, two lieutenants, five sergeants, and four detectives. C. Honig invited Chief Bruno to respond as to why there is the need for two captains in a town of our size. He also pointed out that both Ridgewood and Teaneck recently reduced their starting salaries for patrolmen. He feels the Council should take these facts into consideration when casting their vote.

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

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

#### AUDIENCE REMARKS ON NON-AGENDA ITEMS:

Johanne Gambrill, 15 Ravine Road, expressed her concern about the proposed amendment to the garbage contract. She believes that the reduced pickup schedule will cause the trash to pile up, creating a negative visual impact. She also feels that the charge to those residents who want to continue rear-yard pickup is unfair and will bring in a lot of additional revenue for the garbage contractor.

Mayor Rustin responded by stating that at the Joint Use Committee, there was discussion about implementing a community service program whereby students would assist those residents who cannot bring their garbage to the curb. The Mayor expressed that this idea was well-received by the Committee and will be investigated further. C. Honig did add that there were some reservations about whether this program can be put into practical effect.

Joe LaMastra, 42 Dean Drive, also addressed the garbage contract amendment and expressed his opinion that the reduction in taxes in the amount of \$33 per year is not enough of a savings. Because of the new assessments resulting from the revaluation, he does not feel as though the \$33 will ever be realized. He also questioned whether there has been any further consideration given to televising the Mayor and Council meetings.

Mayor Rustin responded that there was discussion at the Joint-Use Committee about televising the meetings. C. Honig advised that the Board of Education will be providing a proposal for the cost of additional equipment needed to film the Mayor and Council meetings by the beginning of March.

Paul Keyes, 44 Cortland Place and 111 N. Summit Street, expressed his support for keeping the current Borough Engineer. He feels that his long history in the town and knowledge of the systems in town are very valuable facts to consider. He also explained that he is a landscape architect and he finds that it is very difficult to get projects approved in Tenafly due to inconsistencies in the process. As a result, he has lost a lot of business due to residents deciding not to go forward with projects. He asked the Mayor and Council to review the process.

Ernest Kolidides, 164 E. Clinton Avenue, expressed his opinion that the decision as to whether to reappoint the Borough Engineer should be based upon past performance. He pointed out that there have been many complaints against the Borough Engineer throughout the years.

#### MAYOR'S REMARKS

Mayor Rustin remarked that there has been a great deal of discussion about the process that he uses to make his appointments. He explained that he usually sits down with the members of the Council to discuss his appointments. He stated that there is not usually an overwhelming interest in these appointments and he does his best to recruit good people. He explained that there are certain positions that do not require the approval of the governing body. He stated that he has no objection to having his appointments confirmed, but it is not within the power of the governing body to change State statute. If the Council objects to one of his appointments, he asked that they suggest someone better who would like to serve.

CLOSED SESSION – To Be Held After the Special Committee of the Whole Meeting.

There being no further business to come before the Council, on a motion from C. Warms, second by C. LaMastra, and all present voting in favor, the meeting was adjourned to the Special Committee of the Whole in the Committee Room at 8:51 p.m.

Respectfully submitted,

Jewel Thompson-Chin  
Acting Borough Clerk