

# Borough of Tenafly

## MAYOR AND COUNCIL

### MINUTES

**TUESDAY, FEBRUARY 22, 2011**

**PRESENT:** Mayor Peter Rustin and Council members Anthony Barzelatto, Barry Honig, Martha Kerge, Nadia LaMastra, Michael Lattif (via telephone), and Jon Warmes

**ABSENT:** None

**ALSO**

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

At 8:45 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.

Motion by C. LaMastra, second by C. Barzelatto and unanimously carried,

BE IT RESOLVED that the Minutes of the January 4, 2011 Closed Session (not for release) are hereby approved.

REVISIONS TO THE AGENDA – Borough Attorney McClure advised that the approval of minutes of the January 4, 2011 Work Session and January 11, 2011 Public Meeting were being removed from the agenda.

#### AUDIENCE REMARKS FOR AGENDA ITEMS:

Barry Massarsky, 53 Sussex Road, remarked that he had been the Chairman of the Board of Adjustment and he has a lot of experience with the management of affairs in the Zoning Office. He advised that by having a Zoning Officer, the department is much better managed and more efficient. He recognizes that the Council faces a difficult process when dealing with the budget, but urged the Council to form a committee to help the governing body to understand the areas in which the Zoning Officer has created efficiency and helped the Board of Adjustment.

Ernest Kollitides, 164 E. Clinton Avenue, expressed his opinion that the cost for the installation of water and electrical service is much too high and is shocked that the Council would be awarding these contracts. Mayor Rustin advised that the installation of electrical service to the trailers was over the bid threshold and the Borough did receive three price quotes. Therefore, he feels that the Council did its due diligence.

David Simpson, 12 Woodland Park Drive, remarked that when contracting for service, the Council should be held to the same standard as the private sector. He suggested that the residents of Downey Drive be consulted when conducting the traffic study on Downey Drive so that the results be more palatable to everyone involved.

#### CONSENT AGENDA

- A. **#R11-86**/Approve February Expenditures as of February 16, 2011
- B. **#R11-87**/Approve Refund/Tree Mitigation Escrow/73 Hazelton Terrace/\$800.00
- C. **#R11-88**/Approve Refund/Tree Mitigation Escrow/38 Jewett Avenue/\$50.00
- D. **#R11-89**/Approve Refund/Tree Mitigation Escrow/39 Jefferson Avenue/\$100.00
- E. **#R11-90**/Approve Refund/Soil, Road, & Engineer Inspection Escrow/4 N. Summit Street/\$6,330.00

- F. **#R11-91**/Approve Refund/Zoning Permit Application Fee/17 Grandview Terrace/\$25.00
- G. **#R11-92**/Approve Refund/Marlborough Co-op 73B Demott Street/Tax Exempt
- H. **#R11-93**/Approve Refund/PB#1-10-06 Trust Account/Brasserie Restaurant/\$1,795.63
- I. **#R11-94**/Approve Refund/PB#1-10-15/ Trust Account/Lozaki Corp/\$105.63
- J. **#R11-95**/Approve Refund/PB#1-10-16/ Trust Account/Adesta, LLC/\$488.96
- K. **#R11-96**/Approve Refund/PB#1-10-17/Trust Account/Café Savoy/\$467.91
- L. **#R11-97**/Approve Refund/PB#1-10-20/ Trust Account/Knickerbocker Country Club/\$501.32
- M. **#R11-98**/Approve Refund/PB#1-10-21/Trust Account/Joseph J. Gartner, M.D./\$602.23
- N. **#R11-99**/Approve Refund/PB#1-10-13/ Trust Account/Kfir Sayag/\$438.30
- O. **#R11-100**/Approve 2011 Fees for Tenafly Recreation Summer Camp and Recreation Programs
- P. **#R11-101**/Approve Raffle Applications#RA985/YCS Foundation, Inc./04-09-11/#RA986/ Sisterhood of Temple Sinai/05-19-11/#RA987/Ben Porat Yosef/03-06-11/ & #RA988/St. Thomas Armenian Church/05-30-11
- Q. **#R11-102**/Award Contract for Installation of Water Service to Police Temporary Trailers/Jim Moscone Plumbing & Heating, Inc./\$9,635.00
- R. ~~**#R11-103**/Award Contract for Electrical Service to Police Temporary Trailers/Margonis Electrical Contracting Co./\$35,500.00~~
- S. **#R11-104**/Approve 2010 Appropriation Reserve Line Item Transfers
- T. **#R11-105**/Approve 2011 Geese Police Contract Extension
- U. **#R11-106**/ Approve Redemption of Tax Title TTL09-6/103 Oak Street

C. Kerge requested that item R be removed from the Consent Agenda and placed under New Business and Council agreed.

Motion by C. LaMastra, second by C. Kerge that the Consent Agenda be approved as amended.

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 as amended.

#### PUBLIC HEARINGS

Ordinances – None

B. Other – None

#### COMMITTEE REPORTS

Councilman Honig None.

Councilman Barzelatto None.

Councilman Warms Mr. Warms reported that the Nature Center would be having its Gala Event on March 6<sup>th</sup>.

Councilwoman LaMastra Ms. LaMastra reported that the Police Commission met over two Saturdays to interview nine candidates for the Captain positions and Sergeant Trainor and Sergeant Chamberlain were chosen. She stated that they both have a very strong work ethic and are extremely dedicated to the community. She said that they would both be presented to the Council at the March 8<sup>th</sup> Pre-Meeting. Mayor Rustin added that it was an extremely difficult decision as all nine candidates were outstanding. He thanked C. Barzelatto, C. LaMastra, Chief Bruno, and the



B. Other New Business

C. Barzelatto remarked that he had received a complaint from Mount Carmel that the MIA/ POW flag in Huyler Park is in disrepair and asked that the flag be replaced.

MAYOR'S REMARKS

Mayor Rustin stated that he had been invited to Temple Sinai earlier this evening where, through an organization called Family Promise Organization, four homeless families were being housed for a week. He commended Temple Sinai for their efforts in helping families who are in need. C. Barzelatto asked that the Fire Department be notified that these families are staying in this facility.

AUDIENCE REMARKS FOR NON-AGENDA ITEMS

Paul Keyes, 44 Cortlandt Place, stated that he is speaking on behalf of the Nature Center. He advised that Council would be receiving a letter within a week respectfully asking for monies to support the Nature Center. He reminded the Council of the importance of preserving open space and the value that the Nature Center provides to the community. With regard to the bandstand, he advised that it was his firm's opinion to do away with the bandstand and build a new pavilion. However, it was the consensus of the committee to keep the original bandstand on the plan due to its historical value and it would be decided later what would be done with it.

Ernest Kollitides, 164 E. Clinton Avenue, expressed his opinion that the Council decides on issues with very little knowledge. He believes that the Police Headquarters could have been built for one third of the cost. He also expressed his opinion that the electrical contractor's proposal is an insult as no details are provided. Mayor Rustin responded that the proposal was given based upon the specs and C. Barzelatto added that the contractor stated that material and labor would be provided as per the plans. C. Barzelatto pointed out that these plans have been approved by the Borough Engineer, Architect, and Borough of Tenafly.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution #R11-107:

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. Restructuring of the Department of Code Enforcement

Minutes will be taken of the meeting and released 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 Room to reopen the meeting of the Committee of the Whole and resume reviewing the balance of the agenda items.

There being no further business to come before the Council, on a motion from C. Warms, seconded by C. Barzelatto, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:37 p.m.

Respectfully submitted,

Jewel Thompson-Chin  
Acting Borough Clerk