

REGULAR MEETING OF THE MAYOR AND COUNCIL

BOROUGH OF TENAFLY

TUESDAY, JANUARY 12, 2010

7:45 P.M.

MINUTES

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Nadia LaMastra, Michael Lattif, Joseph McDermott, Patrick J. Rouse, and Jon Warms

ABSENT: None

ALSO

PRESENT: Interim Borough Administrator Gregory Fehrenbach
Borough Attorney William R. McClure

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: Borough Attorney McClure advised of the addition of a Closed Session item under Personnel on the Borough Administrator search.

AUDIENCE REMARKS FOR AGENDA ITEMS: None.

CORRESPONDENCE

A. E. Mednick Re: Request/Waive False Alarm Penalty

Motion by Councilman McDermott, second by Councilman Warms, and with all present voting in favor, the request to waive the False Alarm Penalty at 17 Ravine Road was denied.

B. Teaneck Fire Department Re: Thank You/donated truck

Borough Clerk Hatten acknowledged receipt of a letter from the Teaneck Fire Department thanking the Borough of Tenafly for its donation of a 1991 Ford Pickup.

CONSENT AGENDA

- A. #R10-37/Approve January Expenditures
- B. #R10-38/Authorize Refund/Tree Removal Mitigation Escrow/Final 20%/24 Knoll Road
- C. #R10-39/Authorize Refund/Tree Removal Mitigation Escrow/Final 20%/89 Franklin St.
- D. #R10-40/Authorize Refund/Tree Removal Mitigation Escrow-Builder/Final 20%/53 Woodland Street
- E. #R10-41/Authorize Refund/Tree Removal Escrow-Homeowner/Final 20%/53 Woodland Street
- F. #R10-42/Authorize Refund/Tree Removal Mitigation Escrow/Final 20%/20 Buckingham Road
- G. #R10-43/Authorize Refund/Tree Removal Mitigation Escrow/Final 20%/70 Davenport Ave.
- H. #R10-44/Authorize Refund/Tree Removal Mitigation Escrow/11 Harold Street
- I. #R10-45/Authorize Refund/Tree Removal Mitigation Escrow/121 Sussex Road
- J. #R10-46/Approve Raffle Application Nos. 958 and 959/Ben Porat Yosef

Approved: January 26, 2010

- K. #R10-47/Approve Release/Certificate of Redemption TTL08-7/3 Coppel Drive
- L. #R10-48/Approve Refund/County Board Judgment for 2009 Added Assessments
- M. #R10-49/Approve 2010 Animal Control Contract
- N. #R10-50/Approve 2010 Employee Assistance Program contract with Bergen County/Federal DOT requirement
- O. #R10-51/Approve 2010 Renewal of Agreement/Designation of the "Housing Authority of Bergen County" as Administrative Agent for affirmative marketing and affordability controls for affordable housing units
- P. #R10-52/Authorize contract with PSE&G/energy efficiency upgrade proposal
- Q. #R10-53/Approve Shared Services contract with Borough of Cresskill for Registrar of Vital Statistics services
- R. #R10-54/Urge Legislature to consider technical and practical revisions to OPRA
- S. #R10-55/Permission for Farmers Market in 2010.
- T. #R10-56/Introduce Cap. Ordinance No. 10-01/Amend Cap Ord. No. 09-09/delete reference to Downey Drive Sidewalks
- U. #R10-57/Introduce Ordinance No. 10-02/Correction to Zoning Map
- V. #R10-58/Introduce Ordinance No. 10-03/Amend Code/Section 2-23.1/Chief Financial Officer and Director of Finance positions
- W. #R10-59/Introduce Ordinance No. 10-04/Amend Ordinance No. 09-03/Defined Contributions Retirement Program Ordinance/Include Director of Finance position
- X. #R10-60/Introduce Ordinance No. 10-05/Amend Ordinance No. 09-15/Salary and Wage Ordinance/Director of Finance/CFO/Tax Collector positions

Motion by Councilman Warms, second by Councilman McDermott that the Consent Agenda be approved.

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

Councilman Barzelatto:	aye	Councilman McDermott:	aye
Councilwoman LaMastra:	aye	Councilman Rouse:	aye
Councilman Lattif:	aye	Councilman Warms:	aye

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

Councilman Lattif asked if the Housing Authority of Bergen County charges the same price every year even if all of the units are rented.

Interim Borough Administrator Fehrenbach remarked that it is his understanding that there is a DCA schedule of charges that they are permitted to charge to manage the units, and that they charge them on a unit by unit basis. They would receive those payments depending upon the units that they are processing. If they process no units they receive nothing; if they process 10 units they get 10 times the fee that is permitted.

Borough Attorney McClure will e-mail a copy of the Agreement to all council members.

PUBLIC HEARINGS: None

COMMITTEE REPORTS

Mr. Barzelatto: Historic Preservation Committee: Mr. Barzelatto reported that Virginia Mosley, previous Borough Historian, passed away December 31. Her daughters may hold a memorial service in the Borough, and Council will be notified. The new historic signs have been going up in the Borough. The HPC was upset at the tearing down of the home at 27 Brook Road.

Ms. LaMastra Recreation Commission: They approved a policy for the lighting of the municipal field which council should see on the next work session agenda. Naomi McDermott was appointed Chair with Rich Rodriguez as Vice Chair at their reorganization meeting. Jeffrey Pattison is the newest member to the Commission. They are still working on background checks and coming up with an interim policy so they can have something in place.

Approved: January 26, 2010

Mr. Warms Chamber of Commerce: The Annual Meeting is scheduled for tomorrow night.

Tenafly Nature Center: Sunday, March 7, is the Annual Dinner Celebration. Tickets will be going out shortly.

Councilwoman LaMastra asked if the Planning Board agenda will have the Recreation bathroom facilities listed on it.

Mayor Rustin replied, yes.

OLD BUSINESS: None.

NEW BUSINESS: None.

AUDIENCE REMARKS FOR NON-AGENDA ITEMS: None.

MAYOR'S REMARKS: None.

CLOSED SESSION:

Mayor Rustin recognized Borough Attorney William McClure.

RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Tenafly are going into Closed Executive Session to discuss the following matter:

- A. Legal
- B. Personnel
 - 1. Potential Consolidation of Leisure Services/personnel-update
 - 2. Discuss potential candidates for the position of Borough Administrator

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 Committee Room to adjourn this public meeting.

ADJOURNMENT:

There being no further business to come before the Council, on a motion from Councilwoman LaMastra, second by Councilman Warms, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Nancy Hatten, RMC
Borough Clerk