

**REGULAR MEETING OF THE MAYOR AND COUNCIL**

**BOROUGH OF TENAFLY**

**TUESDAY, MARCH 9, 2010**

**8:30 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:** Borough Administrator Jewel Thompson-Chin  
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 that Closed Session items have been added under Personnel regarding the appointment of the Fire Sub-Code Official, Staffing in the Finance Department, Staffing in the Recreation Department, and Staffing in the Court.

**AUDIENCE REMARKS FOR AGENDA ITEMS:** None.

**CORRESPONDENCE:**

A. JCC on the Palisades Re: Request/Annual Rubin Run

Motion by Councilman Lattif, second by Councilman Rouse, and unanimously approved, that the request for permission to have part of their Annual Rubin Run course run through Tenafly, Sunday, May 9, 2010, is hereby approved.

B. Tenafly Associates, LLC Re: Request/Return of Performance Bonds

Motion by Councilman Lattif, second by Councilman Rouse, and unanimously approved, that the request for the release and discharge of all bonds in connection with the Heights at Tenafly is hereby approved subject to Planning Board approval.

**CONSENT AGENDA**

- A. #R10-103/Approve March Expenditures
- B. #R10-104/Approve Refund of Soil Moving Excrows/Building Dept/21 Sunderland
- C. #R10-105/Authorize Appropriation Reserve Transfers
- D. #R10-106/Authorize Temporary Emergency Appropriations
- E. #R10-107/Authorize Award of Contract/THC Enterprises, Inc. t/a Mid-Atlantic Waste Systems, Easton, MD
- F. #R10-108/Appoint Municipal Housing Liaison/Mary D. Lorberbaum
- G. #R10-109/Authorize Bid/ERT Vehicle/Police Department
- H. #R10-110/Approve use of Garden Room at Davis-Johnson Park/Census Bureau
- I. #R10-111/Oppose Senate 1352/Expand OPRA
- J. #R10-112/Support Interest Arbitration/Legislation Reforms
- K. #R10-113/Introduce Ordinance No. 10-12/Amendments to Sign Ordinance

L. #R10-114/Introduce Ordinance No. 10-13/Amend Fee Schedule/UCC

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.

PUBLIC HEARINGS:

A. Ordinances

1. Ordinance No. 10-08/Improvements to Davis Johnson Park

The Mayor recognized Councilman Barzelatto who read the Ordinance by title only and the Notice:

**ORDINANCE APPROPRIATING \$171,300 TO PROVIDE FOR IMPROVEMENTS TO DAVIS-JOHNSON PARK IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.**

The foregoing Ordinance published herewith was introduced at a regular meeting of the Mayor and Council of the Borough of Tenafly, in the County of Bergen, New Jersey, held on Tuesday, February 23, 2010 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Tenafly Municipal Center, 100 Riveredge Road, Tenafly, New Jersey on Tuesday, March 9, 2010 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A copy of the Ordinance has been posted on the bulletin board in the lobby of the Municipal Center.

Mayor Rustin opened the public hearing on the ordinance.

There being no comment from the public, Mayor Rustin closed the Public Hearing.

Mayor Rustin again recognized Councilman Barzelatto:

#R10-115/Adoption of Ordinance No. 10-08

Motion by Councilman Barzelatto, second by Councilwoman LaMastra

BE IT RESOLVED, by the Mayor and Council of the Borough of Tenafly in the County of Bergen, New Jersey, that an Ordinance entitled:

**ORDINANCE APPROPRIATING \$171,300 TO PROVIDE FOR IMPROVEMENTS TO DAVIS-JOHNSON PARK IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.**

pass its second and final reading and is hereby adopted and notice of same shall be published according to law.

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

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

2. Ordinance No. 10-09/Reappropriation of Funds/Improvements to Davis Johnson Park

The Mayor recognized Councilman Barzelatto who read the Ordinance by title only and the Notice:

**ORDINANCE REAPPROPRIATING \$24,757.28 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR IMPROVEMENTS TO DAVIS-JOHNSON PARK AS MORE FULLY DESCRIBED HEREIN IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY**

The foregoing Ordinance published herewith was introduced at a regular meeting of the Mayor and Council of the Borough of Tenafly, in the County of Bergen, New Jersey, held on Tuesday, February 23, 2010 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Tenafly Municipal Center, 100 Riveredge Road, Tenafly, New Jersey on Tuesday, March 9, 2010 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A copy of the Ordinance has been posted on the bulletin board in the lobby of the Municipal Center.

Mayor Rustin opened the public hearing on the ordinance.

There being no comment from the public, Mayor Rustin closed the Public Hearing.

Mayor Rustin again recognized Councilman Barzelatto:

#R10-116/Adoption of Ordinance No. 10-09

Motion by Councilman Barzelatto, second by Councilwoman LaMastra

BE IT RESOLVED, by the Mayor and Council of the Borough of Tenafly in the County of Bergen, New Jersey, that an Ordinance entitled:

**ORDINANCE REAPPROPRIATING \$24,757.28 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR IMPROVEMENTS TO DAVIS-JOHNSON PARK AS MORE FULLY DESCRIBED HEREIN IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY**

pass its second and final reading and is hereby adopted and notice of same shall be published according to law.

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

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

3. Ordinance No. 10-10/Improvements to Walnut Park

The Mayor recognized Councilman Barzelatto who read the Ordinance by title only and the Notice:

**ORDINANCE APPROPRIATING \$177,654 TO PROVIDE FOR IMPROVEMENTS TO WALNUT PARK IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.**

The foregoing Ordinance published herewith was introduced at a regular meeting of the Mayor and Council of the Borough of Tenafly, in the County of Bergen, New Jersey, held on Tuesday, February 23, 2010 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Tenafly Municipal Center, 100 Riveredge Road, Tenafly, New Jersey on Tuesday, March 9, 2010 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A copy of the Ordinance has been posted on the bulletin board in the lobby of the Municipal Center.

Mayor Rustin opened the public hearing on the ordinance.

There being no comment from the public, Mayor Rustin closed the Public Hearing.

Mayor Rustin again recognized Councilman Barzelatto:

#R10-117/Adoption of Ordinance No. 10-10

Motion by Councilman Barzelatto, second by Councilman Warmms

BE IT RESOLVED, by the Mayor and Council of the Borough of Tenafly in the County of Bergen, New Jersey, that an Ordinance entitled:

**ORDINANCE APPROPRIATING \$177,654 TO PROVIDE FOR IMPROVEMENTS TO WALNUT PARK IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.**

pass its second and final reading and is hereby adopted and notice of same shall be published according to law.

Mayor Rustin recognized Councilman Rouse.

Councilman Rouse commented that he is pleased to see this resolution tonight as liaison to the ADA Committee. The ADA Committee has been investigating this for a number of years and he is glad to see this going forward.

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

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

4. Ordinance No. 10-11/Repeal Capital Ordinance No. 06-38/Roosevelt Monument, Phase 2 cancelled

**BOND ORDINANCE REPEALING BOND ORDINANCE NO. 06-38 FINALLY ADOPTED NOVEMBER 9, 2006 OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY AS REFERRED TO HEREIN**

The foregoing Ordinance published herewith was introduced at a regular meeting of the Mayor and Council of the Borough of Tenafly, in the County of Bergen, New Jersey, held on Tuesday, February 23, 2010 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Tenafly

Municipal Center, 100 Riveredge Road, Tenafly, New Jersey on Tuesday, March 9, 2010 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A copy of the Ordinance has been posted on the bulletin board in the lobby of the Municipal Center.

Mayor Rustin opened the public hearing on the ordinance.

There being no comment from the public, Mayor Rustin closed the Public Hearing.

Mayor Rustin again recognized Councilman Barzelatto:

#R10-118/Adoption of Ordinance No. 10-11

Motion by Councilman Barzelatto, second by Councilman Lattif

BE IT RESOLVED, by the Mayor and Council of the Borough of Tenafly in the County of Bergen, New Jersey, that an Ordinance entitled:

**BOND ORDINANCE REPEALING BOND ORDINANCE NO. 06-38 FINALLY ADOPTED NOVEMBER 9, 2006 OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY AS REFERRED TO HEREIN**

pass its second and final reading and is hereby adopted and notice of same shall be published according to law.

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

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

COMMITTEE REPORTS

Mr. Barzelatto: Tenafly Fire Department: There were 63 calls for the month of February with one mutual aid to Cresskill and one to Englewood. The roof collapsed at Gourmet Farms, 15 Piermont Road. There were two snow stand-bys. On February 5 there were nine calls between the hours of 14:30 and 23:30. One of them included a working fire in Englewood. The Dept. responded to nine CO alarms, and one vehicle accident which was an overturned truck. The Department also shoveled the snow from Mackay School using Tower II.

Ms. LaMastra Chamber of Commerce: Discussion included Street Fairs and they are still in the planning stages of what they would like to do. There were recommendations to cut the Street Fairs to two Sundays, one in July and one in April. Bob Kutik has resigned from the Board. Councilwoman LaMastra expressed concern that the Board is falling apart due to lack of coordination among its members.

Tenafly Recreation Department: The main topic was lighting at the Municipal Field. At least four residents from Foster Road attended the meeting. It is not so much the lights that are bothering Foster Road residents, it is the noise which is predominately coming from soccer. The Board will be presenting new recommendations on the lighting policy to the governing body. They would also like to move some daytime activities to Sunnyside Park. The Father/Daughter Valentine Dance will be held at the High School within the next couple of weeks. At the same time there will be a Mother/Son Greaser Dance held at

another facility. The Recreation Board is also very cognizant of the issue of background checks. They have enlisted the Borough Administrator to help them move the process along.

Mr. Lattif

Tenafly Senior Center: The Senior Center Committee met March 4. Gloria Layne was re-elected as President. There is an outstanding item concerning the transportation policy. The issue was that the Senior Center Board started paying cab fares for Senior Center users who wanted to go places. This had nothing to do with activity sponsored by the Senior Center. After realizing that heavy use would deplete the account they stopped it. This raised a question regarding policy. A response from the Municipal Attorney was that as long as the policy is consistent in its application and force there is no issue.

A slight innovation to the monthly Senior Center calendar will be the addition of the Bergen County Website URL to help seniors know where to go. A richer resource of information pertinent to seniors is available through this municipality. The Committee revisited the status of pedestrian signs in high traffic intersections. They reiterated the importance of signage at Riveredge Road and South Summit St., and have asked the Police Dept. to stripe the road area right in front of the Senior Center. They also expressed a desire to have the governing body make a statement as to whether or not they support the consolidation of the Senior Center, Youth Center and Recreation Department. They would like to know where the governing body stands on this issue.

Mr. McDermott

No report.

Mr. Rouse

Tenafly Library Board: The Library Board met last night and discussed the fact that work on the HVAC system is going to be starting toward the end of March.

Tenafly Volunteer Ambulance Corps: During the month of February they responded to 76 calls with 3 mutual aids to Englewood and 2 to Bergenfield. On February 10 they had eight members standing by for a total of 12 hours during the snow storm. On March 25 they had members standing by for a total of 27 hours.

With a Motion by Councilman McDermott, and a Second by Councilman Lattif, Councilman Rouse read the following press release issued today by the Borough Administrator into the record:

**TENAFLY IS RECOGNIZED FOR 2009'S "BEST OVERALL" SAFETY PROGRAM BY BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

Tenafly Mayor Peter Rustin and borough fund commissioner Carol Byrne announce that Tenafly has been recognized for 2009's "Best Overall" safety program by the Bergen County Municipal Joint Insurance Fund (JIF). In addition, the borough was awarded a "Gold Certificate" honoring its excellence in meeting the objectives of the Bergen JIF's safety incentive program. The honors include financial awards of \$3,000 ("Best Overall") and \$1,500 ("Gold Certificate").

"These prestigious awards are testimony to the dedication of our managers and employees to on-the-job safety," said Rustin. "Municipal employees – particularly those in police work, including crossing guards, and in public works – face hazards every day they are on the job. Lost time because of accidents comes at great cost to municipalities such as Tenafly, so avoiding them is a major benefit to the borough and its taxpayers."



- A. Legal
- B. Personnel
  - 1. Police Administration Contract negotiations
  - 2. Reappointment of Fire Sub-Code Official
  - 3. Staffing in the Finance Department
  - 4. Staffing in the Recreation Department
  - 5. Staffing in the Municipal Court

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 went into closed session at 8:18 p.m.

Respectfully submitted,

Nancy Hatten, RMC  
Borough Clerk