

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, September 14, 2010

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

At 7:50 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 Councilman McDermott, second by Councilman Latiff and unanimously carried,

RESOLVED that the Minutes of the Work Session of August 3, 2010, Closed Session of August 3, 2010 (not for release), Regular Meeting of August 10, 2010, and Closed Session of August 10, 2010 (not for release), are hereby approved.

REVISIONS TO THE AGENDA– Borough Attorney McClure advised that there are no revisions to the agenda.

AUDIENCE REMARKS FOR AGENDA ITEMS:

Martha Kerge, 40 Hillside Ave., Tenafly, inquired if scheduling special budget meetings was a new practice since there is no formal vote and asked what kind of work would be involved.

Mayor Rustin explained that the governing body is taking a proactive step in starting the process earlier by reviewing where we are in the current budget in order to make projections for next year, especially since all municipalities have the added pressure of a lower CAP. C. LaMastra noted that two of the budget meetings are after the election where Council-elect can be part of those meetings.

Mark Feldman, 133 Lylewood Dr., Tenafly, expressed that he would like to see the items listed under Closed Session to be discussed in public, such as the bid for the Police building and the rationale for salaries for unrepresented employees, and stated that he is not clear about the discussion on the solid waste contract.

Mr. McClure responded that the discussion on the solid waste contract concerns the current contract with potential legal issues involved, discussion on the bid involves challenges and potential litigation which falls under the purview of Closed Session, whereas discussion on awarding the bid is an Open Session item.

CORRESPONDENCE

None.

CONSENT AGENDA

- A. #R10-228/Approve August Expenditures
- B. #R10-256/Approve Refund/Tree Removal Mitigation Escrow/donation to Tree Replacement Trust Fund/188 Knickerbocker Road/\$2520 and \$2000.
- C. #R10-257/Introduce Ordinance No. 10-24/Land Development Regulations (LDR) Chapter XXXV, Article II, Section 35-201/Revise Definitions
- D. #R10-258/Introduce Ordinance No. 10-25/Revise Display Building Number Requirements/Chapter 10, Section 10-11 /Numbering of Buildings
- E. #R10-259/Introduce Ordinance No. 10-26/Amended Sign Ordinance/Chapter XIV/Signs/Amendments to various provisions
- F. #R10-260/Introduce Ordinance No. 10-27/Land Development Regulation (LDR)/Chapter XXXV, Article II Sec. 35-201 and Article VIII Sections 35-201 & 808/Revise Definition and Placement of Basketball Hoops in Front Yards
- G. #R10-261/Authorize Receipt of Bids for Rental of Borough-owned Property at 5 South Summit Street, Tenafly, NJ 07670.
- H. #R10-262/Approve Developer’s Agreement/Major Soil Movement/108 Buckingham Road
- I. #R10-263/Adopt and Distribute Resolution Supporting the Implementation of the Governor’s “Tool Kit” in response to the 2% Tax Levy CAP.
- J. #R10-264/Approve Agreement with Bergen County/Aquatic Chair Lifts
- K. #R10-265/Approve Dean Drive Drainage Project Closeout and Final Change Order
- L. #R10-266/Authorize Submission of NJDOT Municipal Aid Application: due August 13 via SAGE
- M. #R10-267/Approve Revised Lighting Policy on Municipal Field
- N. #R10-268/Approve Refund/Tax Title Lien TTL08-5 and TTL09-2
- O. #R10-269/Approve Refund/Street Opening Bonds/Permit No. 1048
- P. #R10-270/Approve Refund/Cancelled Street Opening Bonds/Permit No. 1069
- Q. #R10-271/Approve Raffle App #973/Englewood Hospital/Sept. 14, 2010 and App #974/St. Thomas Armenian Church/October 24, 2010
- R. #R10-272/Reject current bids and authorize re-bid of ERT vehicle for Police Department
- S. #R10-273/Revise Depositories of Borough Funds

Motion by Councilman McDermott, second by Councilwoman LaMastra 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

None

COMMITTEE REPORTS

Councilwoman LaMastra

Ms. LaMastra recognized the effort and hours the Welcome Committee spend in reaching out to new residents and reported that their annual event held last week was a wonderful event.

The Recreation Committee will meet with Police Chief Bruno to discuss the issue involving background checks on coaches and reported that summer camp was successful, but policies for the next year are being evaluated.

Councilman Lattif

Mr. Lattif reported that the Senior Services Committee conveyed to Chief Bruno their appreciation for the difference pedestrian walkway signs have made, but they still have concerns regarding Tenafly Road and the intersection of

Riveredge Road and Summit Road. The Committee wishes that their presence on the website was more prominent.

Councilman Rouse

Mr. Rouse reported on the Library Board, in which the Library circulated 563 mixed pieces of material this past Sunday. Upcoming group meetings and events at the Library include: Great Books – 10/7, Foreign Policy – 10/4, Afternoon Book Group – 9/23, Poetry Circle – 9/16, Congressman Garrett’s mobile constituent services visits on the first Thursday of the month, lecture by Dana Brand – 9/30, and lecture by Gabriel Mistral – 10/19.

Mayor Rustin

Mayor advised Council that the Borough received a grant for \$10,000 from Sustainable Jersey, which was financed by Walmart. He attended a Mayor’s Breakfast where the topic of discussion was COAH and the passage of S-1 in the Senate. The bill is now in the Assembly and a vote is expected to occur in October or November. Some provisions of the bill include: abolishing COAH, placing the responsibility for affordable housing on the Department of Community Affairs, numbers required in previous rounds will be eliminated, there will be a greater emphasis on rehabilitation instead of new units, eliminates future mediation, disputes go straight to court, municipalities have 4 years to use money from the housing fund or they will lose the funds, RCAs will be eliminated, and establishes a new form of builders’ remedy.

Councilman McDermott

Mr. McDermott reported that the Chemical Awareness Program will be meeting soon, the Transportation Committee will meet on September 23rd, the Environmental Commission completed its second energy audit and the results are being reviewed. There will be a wildlife exhibit forum tomorrow night and the TEC is seeking to conduct a pet-oriented forum. These forums are steps towards becoming a sustainable community. The Green Team meets next week.

Councilman Warms

Mr. Warms stated that on October 24th the Pet Rescue will be conducting Woofstock and hopes to expand it to a business community event. On September 25th, the Nature Center will hold its wine tasting under the stars and the annual meeting will be held on October 18th ..

Councilman Barzelatto

reported that the Tenafly Fire Department is seeking to establish a Juvenile Fire Department.

OLD BUSINESS

None.

NEW BUSINESS

None.

AUDIENCE REMARKS ON NON-AGENDA ITEMS:

Robin Urban, 24 West Railroad Ave., stated that she is the owner of Pet Rescue. She described the Woofstock event, planned activities, invited Council to attend, and explained that one of the goals is to bring 1000 – 1500 people to Tenafly.

Gerry Migliore , President, Tenafly Chamber of Commerce, explained the goals of the Chamber and how Woofstock would be a kid-friendly event which would bring the business community and general community together. The business community will pour its resources to Woofstock. The group is seeking on a one-time basis to have restaurants place as many tables outside as possible for the serving of food.

Mayor Rustin explained that the governing body cannot grant a blanket approval as public safety is paramount. He recommended that the Chamber provide a list of participating restaurants, the number of tables to be placed outside for each restaurant, the location of the tables, and a diagram. The list will be sent to the Construction Official for review and possibly for Council review. If the Chamber can provide this information quickly, the Borough will endeavor to provide a response in a timely manner.

Mark Feldman,133 Lylewood Dr., mentioned the posting of notices for the Senior Services Committee, obtaining supplemental funding for the ERT vehicle from the Department of Homeland Security, and the potential impact of funding on the Library as a result of the revaluation.

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
 - 1. Solid Waste Contract
 - 2. PHQ Bid
- B. Personnel
 - 1. Salary Ordinance/Unrepresented Employees
 - 2. Schedule Performance Evaluation of Administrator Per Contract
 - 3. Contract Negotiations

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.

There being no further business to come before the Council, on a motion from Councilwoman LaMastra, second by Councilman Lattif, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 8:41 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez
Borough Clerk