

Borough of Tenafly

MAYOR AND COUNCIL

REGULAR MEETING MINUTES

TUESDAY, November 23, 2010

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

ABSENT: Councilman Joseph McDermott

ALSO

PRESENT: Borough Administrator Jewel Thompson-Chin
Borough Attorney William R. McClure
Council-Elect Barry Honig
Council-Elect Martha Kerge

At 8:46 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. Lattif, second by C. LaMastra and unanimously carried,

RESOLVED that the Minutes of the Work Session of October 26, 2010, Regular Meeting of October 26, 2010, Closed Session of October 26, 2010 (not for release), Work Session of November 4, 2010, and Regular Meeting of November 9, 2010, are hereby approved.

REVISIONS TO THE AGENDA – None.

PUBLIC COMMENTS:

Ernest Kollitides, 164 E. Clinton Avenue, believes that residents should place their leaves at least 15 feet away from the adjacent property and asked that the Council consider creating an ordinance to that effect. He also addressed the drainage issue on Dean Drive and stated that the Engineer's proposed solution will not properly resolve this problem. He believes the pipes should have been bifurcated.

Jeff Thompson, 41 Lawrence Parkway, had reported earlier this year that he was being harassed by the Building Department. He stated that he went to court in Alpine for a change of venue last week for two property maintenance violations. In reviewing his file, he found an email from Frank Mottola, Director of the Building Department, that he felt clearly proved that he was being harassed. Mayor Rustin asked the Borough Administrator to review the file and report back to the governing body.

Ernest Kollitides, 164 E. Clinton Avenue, again addressed the drainage issue and stated that he agreed with Council-Elect Kerge that water problems do not always originate where the problem surfaces. He feels that the Engineer should have conducted further investigation.

CONSENT AGENDA

- A. **#R10-372**/Approve November Expenditures as of November 17, 2010
- B. **#R10-373**/Amend 2010 Meeting Schedule and Resolution #10-303 regarding November 30, 2010 Special Committee of the Whole.
- C. **#R10-374**/Award Contract – Purchase of Backhoe.
- D. **#R10-375**/ Approve Refund/Tree Mitigation Escrow/8 Woodhill Road/\$2,600.00
- E. **#R10-376**/ Approve Refund/Tree Mitigation Escrow/142 Sunset Lane/\$100.00
- F. **#R10-377**/ Approve Raffle Applications #RA981 & 982/Giants of Generosity, Inc./01-20-11
- G. **#R10-378**/Redemption of Tax Lien TTL 10-4
- H. **#R10-379**/Cancellation of Monopole Taxes/Block 1210 Lot2.X

- I. **#R10-380**/Approve Two (2) Veteran Deduction Refunds – Marlborough Co-op Corp
- J. **#R10-381**/Approve County Board Judgment Refunds – Yr 2010
- K. **#R10-382**/Approve Tax Court Judgment Refunds
- L. **#R10-383**/Authorize Re-Bid for the Replacement of Twenty-One (21) Windows at the Municipal Center
- M. **#R10-384**/Authorize 2010 Budget Line Item Transfers
- N. **#R10-385**/Authorize Refund/Engineering Escrow/60 Jefferson Avenue/\$6,280.00

Motion by C. Lattif, second by C. LaMastra that the Consent Agenda be approved.

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

C. Barzelatto:	aye	C. McDermott:	absent
C. LaMastra:	aye	C. Rouse:	aye
C. Lattif:	aye	C. Warms:	aye

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

CORRESPONDENCE

Correspondence items B and C were addressed during the Committee of the Whole meeting.

- A. Aguiar/605 Knickerbocker Road Re: Mobile Home Parking

Council discussed the fact that the mobile home has been parked at this location for a long period of time. C. LaMastra expressed her concern about only enforcing the ordinance at this location when this problem is occurring all over town. After some discussion, Council agreed to give the resident until the end of the year to remove the vehicle from their property and asked Borough Clerk to advise the resident of their decision.

- D. Vantage Health System Re: 2011 Budget Contribution

Mayor Rustin acknowledged the important role that Vantage Health System plays in the community and expressed his opinion that the Borough should support them. Borough Clerk is to notify Vantage Health that the governing body is currently working on the budget and will advise them of their decision.

- E. Viswanathan/95 Buff Road Re: Sidewalk Replacement

Council agreed to have Chief Bruno and Bob Beutel review and comment on these requests. Council also asked that it be determined whether it is the homeowner or Borough’s responsibility to repair damaged sidewalks.

- F. Hughes/Farmer’s Market Re: Gratitude to TPD & DPW

Mayor Rustin acknowledged receipt of a letter from The Farmer’s Market commending the Tenafly Police Department and DPW for their assistance. Mayor Rustin noted that the Farmer’s Market will provide an end-of-the-year report shortly.

- G. Hakim/St. Anthony’s Church Re: Sign request

Council agreed that the sign dimensions should be provided prior to final approval of this request. If Council approves the dimensions, St. Anthony’s Church would then need to seek approval from the County as this is a County Road.

PUBLIC HEARINGS

A. Ordinances

The following ordinances published herewith were first read by title only on November 9, 2010, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 10-29 - AN ORDINANCE TO AMEND CHAPTER II, SECTION 2-23 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED “DEPARTMENT OF FINANCE”

ORDINANCE NO. 10-30 - AN ORDINANCE AMENDING CHAPTER II, SECTION 2-47.3 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY ESTABLISHING THE QUALIFICATIONS FOR MEMBERSHIP IN THE TENAFLY FIRE DEPARTMENT

ORDINANCE 10-31 - AN ORDINANCE AMENDING CHAPTER II, SECTION 2-59.2a OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY SETTING FORTH THE COMPOSITION OF THE ADVISORY COMMITTEE FOR THE DISABLED

Public Comments on Ordinance 10-29 – None.

C. LaMastra asked the Borough Administrator to explain Ordinance 10-29. Borough Administrator responded that as of January 1, 2011 it will be mandatory to have a Qualified Purchasing Agent on staff. Gene Vinci, Chief Financial Officer, already has his certification and has offered his services. She stated that one of the biggest advantages of having a QPA is it increases the bid threshold and provides greater leeway.

Motion by C. Warms, second by C. LaMastra that Ordinance 10-29 be passed on 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:

C. Barzelatto:	aye	C. McDermott:	absent
C. LaMastra:	aye	C. Rouse:	aye
C. Lattif:	aye	C. Warms:	aye

Public Comments on Ordinance 10-30 – None.

C. Rouse noted the omission of Borough employees from the list of those qualified for membership in the Tenafly Fire Department. Borough Attorney advised that after Englewood Cliffs, the line “or an employee of the Borough of Tenafly” would be added to Ordinance 10-30.

Motion by C. LaMastra, second by C. Barzelatto that Ordinance 10-30 be passed on second and final reading and is hereby adopted as amended and notice of same shall be published according to law.

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

C. Barzelatto:	aye	C. McDermott:	absent
C. LaMastra:	aye	C. Rouse:	aye
C. Lattif:	aye	C. Warms:	aye

Public Comments on Ordinance 10-31 – None.

Motion by C. LaMastra, second by C. Lattif that Ordinance 10-31 be passed on 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:

C. Barzelatto:	aye	C. McDermott:	absent
C. LaMastra:	aye	C. Rouse:	aye
C. Lattif:	aye	C. Warms:	aye

B. Other – None

COMMITTEE REPORTS

Councilwoman LaMastra

BID met and discussed the loss of Charlie Brown’s and other businesses. The BID is brainstorming on the types of businesses that would benefit the community and should fill these vacancies.

Recreation Board met and discussed the vandalism at the turf field. The Police Department suggested installing motion sensor lighting at the field. Because Recreation's funds are tied up in the bathrooms and concession stands project, they questioned whether the funding can come from the Youth Services trust fund.

Councilman Lattif

None.

Councilman Rouse

None.

Councilman Warms

None.

Councilwoman Barzelatto

Mr. Barzelatto acknowledged the passing of Pat Florio, a long-time crossing guard for the Borough.

Mayor Rustin

Mayor Rustin stated that Tenafly was well-represented at the League of Municipalities. He mentioned that the seminars were very educational and beneficial to the community. Ms. LaMastra added that many of the seminars are on tape and can be purchased at a very reasonable cost, a purchase that she feels the Borough should consider. Mayor Rustin expressed that the mood at the League was very negative with very little positive predictions for the future of New Jersey.

OLD BUSINESS

None.

NEW BUSINESS

None.

MAYOR'S REMARKS

None.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record **R10-386**

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. Legal
 - 1. Solid Waste Contract.

Minutes will be taken of the meeting and release 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 reconvene the Committee of the Whole.

There being no further business to come before the Council, on a motion from C. LaMastra, seconded by C. Lattif, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:46 p.m.

Respectfully submitted,

Lisette Aportela-Hernandez
Borough Clerk