

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, JANUARY 31, 2012

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Barry Honig, Martha Kerge, Nadia LaMastra, Jon Warms, and Mark Zinna

ABSENT: None

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

At 9:21 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 Record, Suburbanite, and 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. Kerge, second by C. LaMastra, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the January 1, 2012 Recess Meeting, January 1, 2012 Reorganization Meeting, January 10, 2012 Work Session, and January 10, 2012 Closed Session (not to be released) are approved.

Motion by C. LaMastra, second by C. Zinna, and all other members voting in favor with the exception of C. Kerge who abstained as she did not attend the following meeting,

BE IT RESOLVED that the Minutes of the January 5, 2012 Council/Transportation Committee Meeting are approved.

REVISIONS TO AGENDA:

Mr. McClure advised that #R12-76 is being added under New Business, which approves the Collective Bargaining Agreement with Local 342 and #R12-69 on the Consent Agenda is being corrected as the contract is being awarded to Tabor Excavating, Inc.

PUBLIC COMMENTS:
No one came forward.

CONSENT AGENDA:

- A. **#R12-61**/Approve Expenditures as of January 25, 2012
- B. **#R12-62**/Authorize Refund/Tree Mitigation Escrow/52 Churchill Road.
- C. **#R12-63**/Authorize Refund/Tree Mitigation Escrow/131 Columbus Drive.
- D. **#R12-64**/Authorize Refund/Various Recreation Classes.
- E. **#R12-65**/Authorize Renewal of Plenary Retail Consumption License for 2011-2012 Term/License No. 0261-33-010-008/115 Sanz County Road, LLC/Per NJSA 33:1-12.18 Special Ruling
- F. **#R12-66**/Execute Contract/2012 Public Health Nursing Services/HARP
- G. **#R12-67**/Execute Contract/2012 Public Health and Environmental Health Services/Mid-Bergen Regional Health.
- H. **#R12-68**/Execute Contract/2012 Integrated Rat Control Program/Hudson Exterminating.
- I. **#R12-69**/Award Contract/Tabor Excavating, Inc./Retaining Wall Repair.
- J. **#R12-70**/Authorize Additional Engineering Services/ADA Evaluation of Parks.
- K. **#R12-71**/Authorize Final Payment/Conquest Industries/Temporary Trailers Site Preparation.
- L. **#R12-72**/Authorize Expenditure/Affordable Housing Trust Fund/Burgis Associates, Inc.
- M. **#R12-73**/Approve Raffle Applications/St. Thomas Armenian Church and YCS Foundation, Inc.
- N. **#R12-74**/ Authorize Amendment of Contract/Arcari & Iovinio, P.C.
- O. **#R12-75**/ Authorize Amendment of Contract/Dedicated Project Services, LLC.

Motion by C. Warmes, second by C. Zinna 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. Warmes:	aye
C. Kerge:	aye	C. Zinna:	aye

All members present voting in favor, the Consent Agenda was approved (as amended).

COMMITTEE REPORTS:

Councilwoman Kerge

Reported that the Historic Preservation Commission did not receive a favorable response from the Borough Administrator or Building Department regarding their request to remove the white bowers in the Davis Johnson Rose Garden. The Commission stated that a Certificate of Appropriateness was not obtained. The Commission is requesting that Council adopt a fee ordinance for their landmark designation book at a of \$25 cost for color print and \$10 for black and white print. C. Kerge will speak with Chairman Wall to determine which upcoming meeting he can attend to speak with the Mayor and Council about this matter.

C. Warmes commented that he does not believe the Borough is required to obtain a Certificate of Appropriateness. Mrs. Thompson-Chin responded that the HPC was given a response, but the Commission does not agree with it. She described the upcoming coordination projects that will include the involvement of the HPC. In the case of the bowers, the suppliers that had been designated had gone out of business and that the alternative custom-made bowers exceeded the budget. The bowers will be covered with vines, but as Mr. Beutel explained to the HPC, the vines were not planted over the bowers due to the storm activity.

Councilman Zinna

Reported from the Youth Services Advisory Committee that a new part-time assistant director, Jeanine Tappen was recently hired; there is a vacancy on the board; summer camp registration begins on February 1st; the summer barbeque is scheduled for August 8th and Board members hope the Mayor and Council will attend this event.

Councilwoman LaMastra

Reported that the BID is formulating their response to the DEIS; an application was filed to become 501(c)(3); and there will be a recommendation from the BID to change bylaws to increase membership.

Advised that the Recreation Board conducted a meet & greet for Matt Mecurio at Davis Johnson Park this past Sunday.

Informed Council that TVAC will their annual dinner dance recognizing accomplishments of their members and celebrate their 20 year anniversary at the Clinton Inn on June 16th. It will be a black-tie event.

Mayor Rustin

Reported that there was a minor issue with the Fire Department concerning their monument which was removed during construction; according to the construction specs, the monument was to be placed in a new location. The Fire Department objected strenuously and told contractor not to do anything with the ring. The old footings are still there, but the structure just needs new support. He is sure that the Fire Department will come back with a plan for it, but the Mayor and Council needs to come up with financing.

Councilman Barzelatto

Reported that the Fire Department responded to a mutual aid call to assist Englewood.

Commended the Police Department on their arrest of someone who was stalking young women; praised the diligent work of Police Department; advised that the rash of burglaries is still continuing, although an arrest was made 3 – 4 weeks ago; advised residents to leave all the lights and televisions on when they are not at home to help deter potential burglaries.

Councilman Warms

Reported that the Environmental Commission has a new Chairperson, Joseph Lavin.

Councilman Honig

Reported from the ADA Committee that the Borough Engineer will be working on the report on ADA compliance plan for the parks. He advised that the Committee is requesting the DPW Director and Engineer attend the next meeting to discuss the plan and accessibility issues concerning Walnut Park.

OLD BUSINESS:

- Police Personnel

Motion by C. Barzelatto, second by C. LaMastra that 2 new officers be hired in order to keep the number of authorized police officers at 33.

C. Honig stated that he preferred having a discussion of the use of technology in an effort to determine best use of assets and monies. He commented that video surveillance would be a better way to dispatch people more rapidly instead of 2 officers who can't be anywhere.

On a roll call, the vote on authorizing the hire of 2 new officers was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	nay	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

All members present voting in favor, the hiring of 2 new police officers was approved.

NEW BUSINESS:

- Introduction of Ordinance

C. LaMastra moved to introduce and pass on first reading Ordinance 12-01 on first reading and setting February 14, 2012 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Tenaflly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Honig:

C. LaMastra read the ordinance into the record:

ORDINANCE NO. 12-01 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC" IN ORDER TO DESIGNATE ONE-WAY STREETS.

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

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

- **#R12-76/** Authorize Execution of Collective Bargaining Agreement/Local 342, Long Island Public Service Employees, United Marine Division, International Longshoremen's Association

Motion by C. LaMastra, second by C. Warms that #R12-76 be approved.

BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly that the Collective Bargaining Agreement for the period beginning January 1, 2011 and ending December 31, 2013 between Local 342, Long Island Public Service Employees, United Marine Division, International Longshoremen's Association and the Borough of Tenafly is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute said Agreement on behalf of the Borough of Tenafly.

C. LaMastra clarified that Local 342 is the union representing the DPW drivers and laborers.

On a roll call, the vote on #R12-76 was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

All members present voting in favor, the #R12-76 was approved.

- C. LaMastra announced that the Board of Education adopted a resolution which will move the School Board Election to November. She inquired if there would be any additional cost to the Borough. Mrs. Aportela-Hernandez responded that there is no additional cost to the Borough since General Elections are processed by the County Clerk and further explained that the ballot will have the school board separate from the partisan election.
- C. Barzelatto noted that he would like to formulate within Council an awards committee for employees consisting of 2 Councilmembers and the Borough Administrator. Mrs. Thompson-Chin responded that she will come up with a structure of a recognition program and advise.

MAYOR'S REMARKS:

Mayor Rustin announced that he appointed Mr. Michael Barone to the Historic Preservation Commission. Mr. Barone was highly recommended by the HPC and lives in a landmarked home.

Mayor Rustin thanked the members of the governing body for outstanding job with the response to the DEIS and for their presence at the press conference and public hearings. He recognized the chairperson of the Transportation Committee, Howard Seiden for the quality of his work, expertise, and patience.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Kerge, second by C. Honig, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk