

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, APRIL 16, 2013

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 7:46 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 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. LaMastra, second by C. Kerge, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the April 4, 2013 Work Session, April 4, 2013 Regular Meeting, April 4, 2013 Closed Session (not to be released), April 9, 2013 Closed Session (not to be released), and April 9, 2013 Work Session are approved.

REVISIONS TO AGENDA:

Borough Attorney McClure advised that there were no revisions to the agenda.

Mayor Rustin announced that the Presbyterian Church is holding a prayer vigil this evening at 7:45 p.m. at the church in response to what happened in Boston. He advised that because he could not attend due to this meeting, he prepared a statement that will be read. Mayor Rustin read the following statement into the record:

It is very gratifying to know that members of the Tenafly community have gathered together to pray and contemplate yesterday's tragic events in Boston. I would have liked to have joined you this evening but I am currently in a meeting of the Tenafly Mayor and Council. At our meetings, we give the highest priority to keeping our community safe, as do the leaders of the City of Boston and every other town in America. When events such as what occurred yesterday happen, as public servants, we often feel as if we have failed our constituents. This of course is not the case. However it does point out that there is much to be done if we wish to make our country a safe and compassionate place in which to live. I extol your willingness to come together to show solidarity with the people of Boston, both those who were victims as well as those who witnessed this senseless act. Only by coming together can we demonstrate the strength that is required to make a positive difference in today's world. Please be assured that you have the full support of the Tenafly Mayor and Council.

Mayor Rustin then requested a moment of silence in memory and tribute to the victims and first responders involved in the Boston Marathon bombing.

AUDIENCE REMARKS FOR AGENDA ITEMS:

No one came forward.

CONSENT AGENDA:

#R13-155/Approve Expenditures as of April 10, 2013

#R13-156/Authorize Tree Mitigation Escrow Refund – 149 Magnolia Avenue

#R13-157/Authorize Tree Mitigation Escrow Refund – 156 Magnolia Avenue

#R13-158/Authorize Tree Mitigation Escrow Refund – 137 Erledon Road

#R13-159/Authorize Change Order #1 – Improvements to Roosevelt Tennis Courts Project

#R13-160/Support PSE&G's "Energy Strong" Program

#R13-161/Authorize Tree Mitigation Escrow Refund – 1 Peter Lynas Court

- #R13-162/Authorize Tree Mitigation Escrow Refund – 77 Hazelton Terrace
- #R13-163/Authorize Tree Mitigation Escrow Refund – 282 Highwood Avenue
- #R13-164/Authorize Recreation Refunds – Various
- #R13-165/Approve 2012 Recycling Tonnage Grant Program Reporting Form
- #R13-166/Certify Submission of Expenditure for Taxes Paid in 2012 Pursuant to the Recycling Enhancement Act
- #R13-167/Authorize Return of Performance Bonds – 155 Grove Street
- #R13-168/Amend 2013 Meeting Schedule – Change Start Time of May 7, 2013 Work Session
- #R13-169/Authorize Encroachment in the Borough Right-of-Way – Zana D Restaurant
- #R13-170/Approve Raffle Applications – RA1045 – RA1048
- #R13-171/Approve Outdoor Seating Permit Application – Tavlin Restaurant
- #R13-172/Authorize Extension of Lease – Tenaflly Historic Railroad Station – ORZIK, LLC
- #R13-173/Approve Agreement - Lerch, Vinci, & Higgins, LLP - Review of Financial Statements of the Borough's Length of Service Award Program (LOSAP) for 2012
- #R13-174/Amend 2013 Temporary Budget

Motion by C. Zinna, second by C. Kerge that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda 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 Consent Agenda was approved.

COMMITTEE REPORTS:

Councilwoman Kerge

The Board of Adjustment continues to have a full agenda.

Historic Preservation Commission met, but C. Kerge was only able to attend the end of the meeting. They have been reviewing requests for certificates of appropriateness and are awaiting a request for a patio at the Cotswald Mansion. They discussed signs to designate properties as historic.

Councilman Warms

The Chamber of Commerce will be holding their Beefsteak Dinner tomorrow night at 6:30 p.m. at the Elks Club.

Councilwoman LaMastra

TVAC met. They have 24 people registered for the summer course to become certified as an EMT. Both ambulances were out-of-service for a few days, preventing TVAC from being able to respond to calls. Council asked C. LaMastra to have Max Moehlen provide them with a status on the ambulances. The washer and dryer are in the process of being installed. C. Kerge questioned whether people commit to a certain amount of time to serve TVAC after being reimbursed for the course. C. LaMastra responded that she does not believe that there is a specific time period to which they commit, but advised that they are a very committed group of people.

The Recreation Board met and discussed the football program as enrollment is decreasing. They will have a football day June 9th and have started a booster club to try to increase participation. As the program is no longer partially subsidized by Recreation, the fees will be raised. The Recreation Director has reviewed the trust accounts with the CFO and they have found sufficient funds to purchase all new football helmets. A CPR class for

your dog or cat has been approved and will be run by Art Dietzel of TVAC. The cost of the course will be \$50 plus the cost of the book.

The BID met last night and voted in a new member of the board, Sally Tether of Benjamin Brothers, to replace Stacy Esser. The board will be coming to the governing body to review their budget and strategic plan.

Mayor Rustin

Mayor Rustin attended a Community Development meeting in Dumont with Borough Administrator Thompson-Chin. Tenaflly has used these funds for ADA accessibility in the parks and are looking for other areas to receive funding. It was discussed that some of service organizations such as Spectrum for Living, Vantage Health Systems, and Meals on Wheels are concerned about a drop in funding. Mayor Rustin commented that they are unbelievably important programs for those in need who may otherwise be forgotten and State funding is drying up.

Councilman Barzelatto

County Manor will be having a simulated disaster drill involving a chlorine gas spill from the Bergenfield train.

Councilman Zinna

No report.

Councilman Honig

C. Honig extended a tremendous amount of praise to TVAC and the Police Department. He advised that this past Saturday, Rabbi Shain had an accident and the response time was very quick, they took charge of situation, and were extraordinarily professional. He felt that this event underscored how important it is to have a volunteer ambulance. He also remarked that the events in Boston underscore concerns about the ongoing threats of terrorism. He noted that it is Israel's 65th Anniversary and extended his congratulations to this democracy overseas as they are able to maintain civil liberties despite the threat of terrorism.

The Nature Center will be going in front of the Planning Board for an initial review presentation and the architect for the proposed new educational facility, Randy Croxton, and the engineer will be in attendance.

C. Honig questioned whether there will be a Joint Use meeting scheduled. Mayor Rustin advised that he had sent an email to ask for a status on Geissinger Field. Borough Attorney McClure explained that the Board of Education attorney has not done anything beyond what was discussed some months ago which was his original recommendation that the arrangement be structured as an easement or lease agreement in order to comply with open space statutes. Council decided that a Joint Use meeting should be scheduled and to have both attorneys present.

OLD BUSINESS:

C. LaMastra questioned whether the Borough Engineer has looked at the drainage problem at Sunnyside Park and Borough Administrator Thompson-Chin confirmed that he will be looking at this issue. C. LaMastra also expressed her concern about the timing of the resurfacing of the basketball courts as the period of time from June to August is such a prime time for use of the courts. Borough Administrator Thompson-Chin explained that the resurfacing has to be done while the weather is hot and once the preliminary surface is put down, there needs to be a 30-day period without use.

C. Barzelatto asked for a status on the Certificate of Occupancy for the new Police Headquarters. Borough Administrator Thompson-Chin responded that they still have a TCO

and will soon be obtaining a CO. She advised that the last piece is the parking lot as well as completing the punch list that was left undone by Santorini. C. Barzelatto then requested that the Plumbing Inspector look at the eyewash station in TVAC.

NEW BUSINESS:

Introduction of Ordinances

C. Warms moved to introduce and pass on first reading Ordinance 13-12 on first reading and setting April 30, 2013 at 8:45 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. LaMastra:

The Borough Clerk read the ordinance into the record:

ORDINANCE NO. 13-12 - AN ORDINANCE TO AMEND THE FEE FOR THE USE OF BOROUGH POLICE VEHICLES FOR OUTSIDE EMPLOYMENT DETAILS

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

C. Warms moved to introduce and pass on first reading Ordinance 13-13 on first reading and setting April 30, 2013 at 8:45 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. LaMastra:

The Borough Clerk read the ordinance into the record:

ORDINANCE NO. 13-13 - AN ORDINANCE APPROPRIATING \$72,000 FROM THE MUNICIPAL OPEN SPACE, RECREATION, AND HISTORIC PRESERVATION TRUST FUND OF THE BOROUGH OF TENAFLY

C. Honig questioned whether there would be a resolution from the Board of Education indicating that they would be splitting the cost. Borough Administrator Thompson-Chin confirmed that they will be preparing a resolution once the bid opening takes place in order to provide an exact amount.

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

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

None.

MAYOR'S REMARKS

Mayor Rustin read the Arbor Day Proclamation, proclaiming April 26th as Arbor Day. Mayor Rustin then commented that he continues to believe that although Tenaflly is designated a Tree City, many more trees are being taken down than are being planted. He advised that he would like to start a contest to encourage students to plant trees.

C. LaMastra questioned whether there is still a tree trust fund. Borough Administrator Thompson-Chin advised that in conjunction with the proclamation, she did a press release and placed reminders on website and message board about Arbor Day, Earth Day, and the availability to have trees planted for free.

Mayor Rustin will look into the Shade Tree fund and speak with the DPW Director to see where trees can be planted. Borough Administrator Thompson noted that they are also

looking into a grant from the Forestry Program to clean up the fallen trees at the Nature Center.

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 8:22 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk