

# Borough of Tenafly

## MAYOR AND COUNCIL

### MINUTES

**TUESDAY, APRIL 4, 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 8:30 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. Notice of this meeting via the March 18, 2013, Sunshine Notice was forwarded to the Record, the Suburbanite, and the Northern Valley Press and posted on the bulletin board and Borough website."

The Salute to the Flag was led by Mayor Peter Rustin.

Motion by C. LaMastra, second by C. Warms, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the March 5, 2013 Work Session and March 12, 2013 Regular Meeting are approved.

#### REVISIONS TO AGENDA:

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

#### PUBLIC COMMENTS:

Sally Ruback, Esmond Place, expressed her opposition to the outdoor fitness equipment. She advised that senior citizens are not interested in using this equipment and are concerned with it being out in the open. She also disagreed with the two proposed locations.

Ben Nissan, 29 Downey Drive, advised that he is the founder of Tenafly High School Young Democrats and expressed that they would like to become involved in the issues facing Tenafly.

C. LaMastra explained that the Young Democrats introduced themselves to the Democratic Committee and advised that they would like to start to attend Council meetings. Mayor Rustin remarked that their attendance will be extremely welcome.

Johanne Gambrill, Ravine Road, commented that she was glad to see that the landscaping issue is resurfacing again as their machines are noisy, create a smell from the use of fuel that is a combination of oil and gasoline, and kick up a lot of dirt. She expressed her opinion that residents expect a certain amount of peace and quiet and their needs should be considered.

#### CONSENT AGENDA:

**#R13-137/**Approve Expenditures as of March 20, 2013  
**#R13-138/**Support Mutual Aid Plan and Rapid Deployment Force  
**#R13-139/**Authorize Refund – Engineering Escrow – 33 Stonehurst Drive  
**#R13-140/**Authorize Refund – Tree Mitigation Escrow – 121 Sussex Road  
**#R13-141/**Authorize Refund – Various Bonds & Escrows – 213 Engle Street  
**#R13-142/**Authorize Refund – Overpayment of Taxes  
**#R13-143/**Authorize Redemption of Tax Title Lien – TTL12-1  
**#R13-144/** Amend 2013 Meeting Schedule – Change Start Time of April 9, 2013  
Work Session  
**#R13-145/**Amend 2013 Temporary Budget  
**#R13-146/**Amend Issuance of Purchase Order – Parent Door Hardware  
**#R13-147/**Approve Raffle Applications – RA 1037 – RA 1044  
**#R13-148/**Approve Outdoor Seating Application – Brasserie

- #R13-149/Authorize Receipt of Bids - Lightning Detection System – Borough and Board of Education Properties Project
- #R13-150/Authorize Issuance of 2013 Ice Cream Vendor License – Corbo
- #R13-151/Authorize Issuance of Purchase Order – Carl Passera, Mason Contractor – Fire Department and 9/11 Memorial
- #R13-152/Authorize Renewal of Plenary Retail Consumption License – The Sidebar Bar

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

Ms. Kerge reported that the Historic Preservation Commission is meeting right now and she plans to attend after this meeting is adjourned.

The Board of Adjustment and Library Board will meet next Monday.

The Police Commission met this morning and made a major decision. C. Zinna advised that they interviewed three candidates for the position of Captain and it was decided that Lt. Michael deMoncada will be promoted to this position. As there are other personnel actions in process, Borough Administrator Thompson-Chin advised that they are looking at May to schedule all promotions and swearing-in ceremonies.

Councilman Warms

The 3<sup>rd</sup> Annual Lost Brook Preserve Trail Race will take place this Saturday at 9 a.m.

Chamber of Commerce will hold its Beefsteak Dinner on Wednesday, April 17<sup>th</sup>. The Chamber met yesterday with Chief Chamberlain and Jennifer Kleinbaum, Director of the Nature Center. Questions arose regarding parking and Chief Chamberlain stated that time restrictions would be enforced more rigorously than in the past.

Councilwoman LaMastra

The Senior Center Committee met to review the results of their survey. They received almost 60 responses as of 2 weeks ago and one of the main issues that resulted from the survey is the lack of housing for seniors.

Ms. LaMastra commented that the officers of the Young Democrats are very well-informed and would like to be able to contribute. She inquired whether a section of the meeting can be devoted to them. Mayor Rustin responded that they are welcome to speak during the public comment portion of the meeting.

Mayor Rustin

The Planning Board approved an important application last week for Friends of Grace, a Korean Senior Center on Grove Street. Mayor Rustin expressed his opinion that this building will be an improvement to the look of the street and noted that the hours will not conflict with the high school drop off and pick up times.

Mayor Rustin reported that he has been invited to be a part the Transportation Conference on April 18<sup>th</sup>. He will be on a panel, along with Mark Gordon, and the subject matter will be about how towns form a consensus on transportation issues.

Councilman Barzelatto

The Fire Department is moving ahead with the 9-11 Memorial and fundraising is up and running. C. Barzelatto commented that any donations would be very much appreciated.

Emergency Management met with FEMA and is seeking 75% of \$49,000 as reimbursement for emergency response during Hurricane Sandy. The reimbursement amount for debris is still being finalized.

Councilman Zinna

Youth Advisory met last week and had a Cottage Party for parents whose children will be entering 6<sup>th</sup> Grade; 50 parents attended. They will be having an open house for soon-to-be graduating 5<sup>th</sup> graders in May. Summer Camp registration is underway and they are hoping to have 130 attendees.

Councilman Honig

No report.

Mayor Rustin advised there are vacancies on both the Senior Center and Youth Services Advisory Committees. C. LaMastra and C. Barzelatto responded that they have names that they will submit to fill these vacancies.

## **PUBLIC HEARINGS**

### **ORDINANCE 13-09:**

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on March 12, 2013, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 13-09 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Public Comments on Ordinance 13-09

No one came forward.

Motion by C. LaMastra, second by C. Zinna that Ordinance 13-09 be passed on second and final reading and are 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. LaMastra: | aye |
| C. Honig:      | aye | C. Warms:    | aye |
| C. Kerge:      | aye | C. Zinna:    | aye |

OLD BUSINESS:

None.

NEW BUSINESS:

- Introduction of Ordinance

C. Warms moved to introduce and pass on first reading Ordinance 13-11 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 Tenafly 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. 13-11 – BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF TENAFLY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,245,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,887,700 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

C. Honig questioned whether they will be financing these improvements with notes or long-term financing.

Borough Administrator Thompson-Chin responded that they typically finance with notes at first then long-term financing but she will confirm this information with CFO Gene Vinci.

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 |

**MAYOR’S REMARKS:**

Mayor Rustin remarked that the Young Democrats are very welcome to attend the Council meetings. He expressed his hope that they will continue to attend meetings and advised them of the meeting schedule. He noted that the much of the public meeting is pro forma and urged them to attend the work sessions. He encouraged them to email the Borough Clerk with any questions or issues of interest.

**CLOSED SESSION**

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-153

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. Collective Bargaining
  - 1. PBA Local 376 – Contract Negotiations Update
- B. Personnel
  - 1. Police Department – Extended Probationary Status
- C. Litigation/Attorney-Client Privilege
  - 1. Latz v. Borough of Tenafly

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 C. LaMastra, seconded by C. Honig, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 8:56 p.m.

**ADJOURNMENT:**

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Kerge, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC  
Borough Clerk