

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, MAY 21, 2013

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

ABSENT: Council member Anthony Barzelatto

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

At 7:30 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."

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-200

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. Contract Negotiations Update – Library

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 7:40 p.m.

The Public Meeting was reopened at 7:49 p.m.

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

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

BE IT RESOLVED that the Minutes of the April 16, 2013 Regular Meeting, April 30, 2013 Work Session, April 30, 2013 Closed Session (not to be released), April 30, 2013 Regular Meeting, May 7, 2013 Closed Session (not to be released), and May 7, 2013 Special Regular Meeting are approved.

REVISIONS TO AGENDA:

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

AUDIENCE REMARKS FOR AGENDA ITEMS:

No one came forward.

CONSENT AGENDA:

#R13-189/Approve Expenditures as of May 15, 2013

#R13-190/Authorize Escrow Refund – New Construction and Soil Moving – Olga Liberof Zabolina

#R13-191/Authorize Cancellation of Small Tax Balances

#R13-192/Authorize Tree Mitigation Escrow Refund – D'Amico Construction

#R13-193/Authorize Tree Mitigation Escrow Refund – Cho

#R13-194/Authorize Tree Mitigation Escrow Refund – Kim

#R13-195/Establish a Year End Penalty for Tax Delinquencies

#R13-196/Award Professional Services Contract – Realty Appraisal Company

#R13-197/Authorize Release of Maintenance Bond – The Heights at Tenafly
#R13-198/Amend 2013 Budget – Clean Communities 2013 Grant
#R13-199/Authorize Redemption of Tax Title Lien - TTL12-4

Motion by C. LaMastra, 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:	absent	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.

COMMITTEE REPORTS:

Councilwoman Kerge

The Library Board met and is in the process of landscaping the back and side of the Garden Room. They questioned whether something can be done about the condition of the brook. Mayor Rustin asked Borough Administrator speak to the DPW Director about having the Boy Scouts clean up the brook by hand in small sections at a time.

C. Kerge advised that the Friends of the Library group has been able to increase its membership. Mayor Rustin suggested that this group be publicized in the Borough Newsletter.

Councilman Warmes

No report.

Councilwoman LaMastra

The Welcome Committee is having a second event this summer in conjunction with the Library which will target parents with children not yet in school. The event will allow parents to purchase educational toys suggested by the Library and will serve as an opportunity for parents to mingle.

Senior Services has completed the senior survey and are putting together the results. They would like to schedule a joint meeting with the governing body late in the afternoon on the third Tuesday in September to discuss the results.

The BID would like to meet with Council to present their budget, plans, and goals for this year. Council decided that C. LaMastra should meet with the Borough Clerk to schedule said meeting.

The Recreation Board held two meetings, the regularly scheduled meeting and a special meeting with cosponsored sports. The purpose of this meeting was to make a cohesive set of rules. There was also discussion about how boards can be more transparent and bring on more volunteers. The Recreation Director will propose the recommended changes and the board will vote on these changes at a future date. Recreation hosted the Safe at Home Tournament and Bicycle Rodeo with Sergeant Roux, Sergeant Greeley, and Officer Baumuller of the Police Department. There will be a follow-up program about bicycle safety on June 8th. Ms. LaMastra commended the Recreation staff and three police officers.

Mayor Rustin advised that Recreation was not able to use Sunnyside Park for the Safe at Home Tournament, but doubled up at the Municipal Field. He believes that the final games were not played, but will be rescheduled in early June. He commented on the great job that the Recreation staff did with this event.

Councilwoman LaMastra

Recreation will hold a Football Day on June 8th from 2 pm to 6 pm on the turf. They have been notified that the schools are closing several fields due to their poor condition which may result in a shortage of field space in the fall. There has been a tremendous response to the summer camp program with people registering much earlier. They are set at having only 400 campers and have had to place people on a waiting list.

Councilman Zinna

Access for All Committee met on May 15th and had a conversation about parking and whether there are a sufficient number of handicap spaces. Chief Chamberlain and Andrew Hipolit are going to conduct a survey on the number of handicap spaces and report back in 45 days. There was also discussion about Walnut Park not being wheelchair accessible. Bob Beutel will determine if there is an inexpensive way to make it more accessible. The committee would like to have further discussion regarding raising money for the renovation of the parks through private contributions with naming rights.

Mayor Rustin asked that C. Zinna keep track of the survey about handicap spaces as he believes it has been in the works for a long time. Borough Administrator Thompson-Chin advised that the survey was initiated just before Chief Bruno retired and explained that the ordinance needs to be amended.

C. Honig questioned why a Joint Use meeting has not been scheduled. Borough Administrator Thompson-Chin advised that she has approached the Board of Education on numerous occasions and they have presented excuses for not granting a formal meeting. She explained that they have, instead, been dealing with issues on an ad hoc basis, one subject at a time. Mayor Rustin advised that Borough Attorney McClure did meet with the Board of Education attorney and the draft agreement for Geissinger Field will be presented on Tuesday night for discussion. C. Honig expressed his disappointment that the Borough and Board of Education cannot sit down and have a conversation.

OLD BUSINESS:

None.

NEW BUSINESS:

Introduction of Ordinance

C. LaMastra moved to introduce and pass on first reading Ordinance 13-14 on first reading and setting June 18, 2013 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. Warms:

The Deputy Borough Clerk read the ordinance into the record:

ORDINANCE NO. 13-14 - BOND ORDINANCE OF THE BOROUGH OF TENAFLY, NEW JERSEY PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$191,500 FOR THE IMPROVEMENT REFERRED TO IN SECTION 3(o) OF BOND ORDINANCE NO. 13-11 FINALLY ADOPTED APRIL 30, 2013, INCLUDING A GRANT IN THE AMOUNT OF \$146,500 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$42,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Mayor Rustin advised that these funds are being allocated for the reconstruction of Tenaflly Road.

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

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

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

Mark Feldman, 133 Lylewood Drive, questioned the status of emergency facilities for the imminent storm season as there is concern among those without generators that they will be left in precarious position. C. Honig recalled that a generator for the Library has been discussed. Borough Administrator Thompson-Chin advised that an application has been submitted.

Mr. Feldman than requested clarification as to where in the approval process is the Nature Center project and asked for a status on the final lease.

Mayor Rustin advised that there is a 90-day period for Green Acres to gather any comments or questions that they may have and is a period of time during which the governing body can take no action. He expressed his belief that at the end of the 90-day period, the Nature Center will come back with a set of plans. At that point, the governing body will have a discussion at a work session and decide whether to give approval to move forward.

Borough Attorney McClure advised that the lease was not approved by Green Acres as drafted. He explained that after the 90-day period, the amendments will be proposed by way of ordinance as the original approval of the draft lease was done by ordinance. Once the proposed ordinance is discussed at a work session, it will be introduced and adopted after a public hearing. He noted that there is not a lease at the present time. Mr. Feldman stated that he has received communication from Nancy Lawrence of Green Acres advising that she has approved the lease. Borough Attorney McClure confirmed that she has approved the revised draft, but the governing body will have to adopt an ordinance to approve the revised lease. Mr. Feldman questioned whether she has approved the changes that are to be made in terms of financial requirements. Borough Attorney McClure responded that she has not seen those changes, but she would most likely approve changes regarding financial aspects of the lease.

Mel Lubens, 33 Stonybrook Road, criticized the fact that most road repairs have had to be redone in 10 years. He asked for an explanation as to why a road had been paved 2 years ago and then was repaved again 2 years later. Mayor Rustin advised that if the street to which he is referring is Highwood Avenue, it had to be paved in sections.

Mr. Lubens advised that he had a meeting with the Borough Administrator nine weeks ago and she promised to get back to him immediately to set up an appointment with the Borough Engineer. He stated that he is still awaiting a reply. He advised that he also has requested that the chain of command be put into writing, but the Borough Administrator did not grant his request.

C. Honig advised that the section of Highwood Avenue that went all way up to Tekening was completed, but the section that went from Tekening to Sunderland was in very bad shape and had to be milled instead of simply resurfaced which required extra funds.

MAYOR'S REMARKS

Mayor Rustin advised that Memorial Day Parade, sponsored by the Tenafly Elks, will begin at 10 a.m. and there will be a gathering at Huyler Park to follow with a Vietnam Veteran as the guest speaker.

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 8:26 p.m.

Respectfully submitted,

Anne Dodd
Deputy Borough Clerk