

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, MARCH 25, 2014

PRESENT: Mayor Peter Rustin and Council members Nadia LaMastra, Daniel Park, Jon Warms, and Mark Zinna

ABSENT: Councilmembers Anthony Barzelatto and Maxim Basch

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

At 8:36 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 Press 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. Warms, second by C. Zinna, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the March 11, 2014 Closed Session (not to be released), and March 11, 2014 Regular Meeting are approved.

REVISIONS TO AGENDA:
None.

PUBLIC COMMENTS

Martha Koven – N. Summit Street – read a letter into the record concerning the proposed two hour parking limit. She commented on the BMW's parking violations. She questioned the Council as to whether summonses have been issued, estimation on when infractions will be corrected and when the buffer will be installed.

The Mayor indicated that summonses have been issued. All violations will be given to the Code Enforcer for review. He noted the buffer will also be addressed.

Edo Fill - N. Summit Street – thanked Martha for her research on the parking situation on N. Summit Street. He advised the Council to continue to be mindful in monitoring the codes of the town, especially with regard to the BMW dealership.

Mayor Rustin assured residents the situation is improving, as the numbers of cars are no longer present. He had a discussion with the manager with BMW, but the issue remains for the people of BMW to find off-site parking.

Olga Barbera – 25 Chestnut Street – noted that one side of the street is zoned residential and the other side commercial, however she proclaimed that employees and customers fail to use their designated lot and instead park on the residential side of the street. She voiced her concern that she could not properly use her side of the residential street to unload disabled relatives who require the use of wheelchairs to be able to get into her vehicle. She stated her husband was threatened by the owner of the gym for bringing up the parking situation. Ms. Barbera confirmed a no parking line was put down in front of her home last week, but she observed individuals and employees parking there, despite the line. She discussed the situation with police; however she was advised that unless there are no parking signs, it is legal for them to park there. The Mayor questioned why she could not unload the individual in her driveway. Ms. Barbera replied her driveway is too narrow.

Rocco Barbera – 25 Chestnut Street – also addressed the parking situation and the gym owner's threats against him. He noted that there are always 3 employee vehicles constantly parked on the street. The Mayor assured Mr. Barbera that the cars are not parked there all the time, as he has driven past there on many occasions. The Mayor also advised Mr. Barbera to call the police in any instance where he is threatened. Mr. Barbera replied that he informed the police and they said to bring up the issue at a Mayor & Council Meeting.

Elmer Bar – 21 Summit Street – inquired as to whether there are any federal statutes that can be implemented against BMW, with regard to commercial and residential zones. Mayor Rustin confirmed that any codes that they are empowered to enforce, the borough code enforcement officer does.

Susan Gordon – 41 Woodland Park Drive – was present to show support for the LG resolution. She explained how she feels it would be a great disservice to lose the view of the Palisades. Ms. Gordon proclaimed that a distinction must be made with regard to the Tenafly Nature Center project and the LG Electronics USA Project, which would alter the landscape of the entire Palisades.

Simeon Sahaydachny – 425 Hudson Avenue – believes Tenafly has direct input on the LG Project due to its proximity to the town. Mr. Sahaydachny mentioned that 4 former governors of NJ spoke out against the LG Electronics USA Project. He asked the council to join the other surrounding towns and the 4 former governors to support the opposition.

Karla Boden – 5 N. Summit Street – is a longtime resident, who has lived in Tenafly since 1966. She too, stated that she was upset over the BMW parking situation. She spoke of an episode that occurred where she and another vehicle had nowhere to go due to the congestion on the street. Ms. Boden indicated that she has pictures of cars parked in front of the fire hydrant. Mayor Rustin advised her to call the police. He noted that Council wants to implement a 2 hour parking rule and reassured her and the rest of the residents at the meeting that the issue is going to be resolved.

The Mayor stated that the BMW parking issue is to be discussed at the April 8th Work Session, where they may choose to proceed with a 2 hour parking restriction or change the street to no parking.

Joanna Gambrill – Ravine Road – believes the overcrowding traffic on Hillside Avenue, near the BP gas station, is connected to N. Summit Street. The Mayor assured her the parking situations were not related. Ms. Gambrill noted that she observed cars take up half of the sidewalk, as well as park on the yellow line. She also stated that Honda parks their cars on both sides of the street, which she believes makes for dangerous conditions and cannot understand why it is tolerated. She does not believe the 2 hour parking rule will help in the matter.

Mark Feldman – 133 Lylewood Drive – wanted an explanation as to the licensing agreement between the engineer and the Board of Education for the Geissinger Field Project. He questioned why there were no viewable reports on the provision of the project, which he stated, would protect the borough. Mr. Feldman stated he tried getting an OPRA of the document, but he was told none existed. He questioned the Council as to who is monitoring compliance with the licensing agreement or if the borough made a conscious decision that monitoring was not necessary. Mr. Feldman also commented on the guidelines of usage for the completed field. He was confused as to why private results from the Joint Use Committee would appear on the Board Of Education website, which gave the impression that the guidelines have already been finalized. It was noted that the Board of Education has not yet approved the guidelines for usage on the field. Mr. Feldman questioned when the guidelines are going to be ready for review.

CONSENT AGENDA

#R14-120/Approve Expenditures as of March 19, 2014

#R14-121/Approve LOSAP Certification List – Tenafly Volunteer Ambulance Corps

#R14-122/Approve Raffle Applications #1070 & #1072 - #1074

#R14-123/Authorize Refund – Davis Johnson Garden Room – Tarra

#R14-124/Authorize Refunds – 2014 Tax Court Judgment

#R14-125/Authorize Auction of Surplus Property – GovDeals.com

#R14-126/Authorize Tree Mitigation Escrow Refund – 35 Sunderland Road

#R14-127/Amend #R14-105 - Tax Court Judgment

#R14-128/ Approve Outdoor Seating Permit Application - Brasserie

#R14-129/Approve Additional Engineering Services – Oversight of the Municipal Building Chiller Replacement Project

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

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

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|----------------|--------|-----------|-----|
| C. Barzelatto: | absent | C. Park: | aye |
| C. Basch: | absent | C. Warms: | aye |
| C. LaMastra: | aye | C. Zinna: | aye |

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

COMMITTEE REPORTS:

Councilman Park

The Green Team is in the process of planning their Earth Day celebration, which will take place in front of the post office on April 26th. Tesla Motor, BCUS and United Water will all take part in the event. The celebration will be between 10:00 a.m. through 3 p.m.

Councilman Zinna

Access for All Committee meeting occurred March 19. C. Zinna noted that the Access for All Summit will take place Saturday, March 29th, at the Englewood Hospital. Assemblywoman Valerie Huttle and County Executive Kathleen Donovan will be present at the Event. The objective of the event is to discuss and create awareness for residents with disabilities within the county. The event will also provide information on services that are available.

C. Zinna stated that the AFA is hoping to have a chance to review equipment before they move ahead and order anything for Griffin Park.

April 26th is the opening day and baseball parade.

C. Zinna stated that AFA inquired as to the availability of the recreation office to be able to hold a community outreach setting on that day. Implementing an ID system was discussed; however it may not be feasible.

C. Zinna stated the Drafting Committee for the Nature Center Referendum will soon be resolved within the next week or two.

Mayor Rustin

The Mayor noted that Martha had reported that Friends of the Library presented its first concert of the year, which yielded a large turnout. Friends of the Library is preparing to assist in the Tenaflly Artist Exhibition, which is opening on May 4th in the Library. The organization is seeking a 501(c)(3) designation, which is favorable for their fundraising efforts. The Mayor also commented on their desire to have generators installed in the library in an effort to be able to extend the hours of operation. The Administrator advised the Council and residents that there have not been any suggestions for using the Library as a possible shelter. She stated that the purpose of the generator was to supply power to the library, the McCandless Room and the Youth Center, as well as to be utilized as a heating and charging center. The Administrator suggested that Councilman Barzelatto meet with the Library Director, as well as other facility directors that are being discussed as possible shelters.

Councilwoman LaMastra

At the BID meeting, the President of the Chamber was present to discuss the chamber events. She noted that the BID's Planning Board Secretary did not receive copies of property applications for zoning and planning.

C. LaMastra confirmed that the banners are up on the poles, although some were not able to hold the banners due to interference with equipment already on the pole.

Carol Guissenheimer met with DPW Director, Bob Culvert, to discuss areas in which they install planters.

The BID entered into an agreement with the Key Club to provide social networking sites including Facebook, Twitter and Instagram to help promote local sales. High school students were passionate about getting involved and brainstorming ideas to assist the subcommittee in marketing plans.

TVAC met on Monday. The TVAC dinner will be held June 21st. C. LaMastra acknowledged that 35 people donated blood in the TVAC blood drive. She also announced that 17 students will participate in the summer EMT session, which will be held in Paramus. A meeting had taken place on Thursday with the parents' of the 17 individuals to discuss fees associated with the session.

Councilman Warms

The Nature Center Dinner will be held on Sunday. The honoree at the dinner will be Congressman Pascrell.

OLD BUSINESS:

C. LaMastra stated that the guidelines for the Geissinger Field Project were held on March 4th. She noted that more than half of the Council has not looked over the guidelines. C. LaMastra acknowledged that Recreation is very concerned about the stipulations that will restrict the usage of the track. The Mayor noted that safety is always an issue and states, since lights will be on at night, there are going to be more activities on the field. C. LaMastra believes the guidelines are a violation. Mayor Rustin would like to discuss the matter with the Superintendent to get the Board of Education's position. He would also like to further examine the issue at the next Work Session.

NEW BUSINESS:

Introduction of Ordinances

C. LaMastra moved to introduce and pass on first reading Ordinances 14-05, 14-06, and 14-07 on first reading and setting April 17, 2014 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 Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Zinna:

Ms. Schryver read the ordinances into the record:

ORDINANCE NO. 14-05 - AN ORDINANCE TO AMEND CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "GENERAL LICENSING" AND MORE PARTICULARLY: AMENDING SECTION 4-4, CANVASSING AND SOLICITING

ORDINANCE NO. 14-06 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC"

ORDINANCE NO. 14-07 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

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|----------------|--------|-----------|-----|
| C. Barzelatto: | absent | C. Park: | aye |
| C. Basch: | absent | C. Warms: | aye |
| C. LaMastra: | aye | C. Zinna: | aye |

#R14-130/Introduce 2014 Municipal Budget

C. Zinna moved to adopt Resolution #14-130 and setting April 29, 2014 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 the adoption of the 2014 Municipal Budget. Seconded by C. Warms:

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

| | | | |
|----------------|--------|-----------|-----|
| C. Barzelatto: | absent | C. Park: | aye |
| C. Basch: | absent | C. Warms: | aye |
| C. LaMastra: | aye | C. Zinna: | aye |

MAYOR'S REMARKS:

Mayor Rustin addressed the NY Times and The Record's article in which Mr. Bill Barone stated that campaign endorsements were sought in the exchange of 9/11 pieces of steel, however Mayor Rustin acknowledged Mr. Bill Barone's statements were incorrect. He continued, Tenaflly did not participate in any political dialogue in exchange for 9/11 pieces of steel. The Administrator noted that Tenaflly had to fill out an application to receive the 9/11 steel.

The Mayor noted that it is necessary to remove unhealthy trees; however he voiced his concern about clear cutting healthy trees down that are not for construction purposes. Mayor Rustin stated that Bob Culvert has conducted inspections, but the situation remains of the property owner's rights versus the right of the environment. The Administrator discussed the importance that the property owner be truthful in their intentions of removing trees. She further contemplated reviewing the definition of construction with regards to tree removal. C. LaMastra would like to examine the extent of tree loss. C. Park discussed the issue with Bob Culvert; however C. Park stated that it becomes an issue of safety, which makes for a tough decision. C. LaMastra stated the damage incurred from rock salt will likely cause more tree removal in the future. The Administrator noted that the county sponsored a program held at Bergen Community College to obtain safe trees to plant. C. Park mentioned that seedlings were available through the DPW for planting.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Warms, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC, CMC
Borough Clerk