

# Borough of Tenafly

## MAYOR AND COUNCIL

### MINUTES

**TUESDAY, JUNE 24, 2014**

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

ABSENT: Councilmember Anthony Barzelatto

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

At 8:35 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 June 10, 2014 Work Session and June 17, 2014 Closed Session (not to be released) are approved.

#### REVISIONS TO AGENDA:

Mr. McClure advised that #R14-234/Designate Sgt. Nicholas Oresko Memorial Park is being removed from Consent Agenda and will be added to New Business.

#### PUBLIC COMMENTS

Paul Stefanowicz - 21 Mahan Street - stated he was hoping the HPC unanimous recommendation and the Planning Board's 5-2 votes on the historic designation of 53 Knickerbocker Road would be taken into consideration. He would like the governing body to do their due diligence. Mayor Rustin noted that he truly believes the governing body gave a serious consideration to the HPC report.

Rita Heller - Marcotte Lane - voiced her concern over the non-designation of 53 Knickerbocker Road. She questioned the future of the HPC. She noted that it sets a dangerous precedent since the ordinance does not require approval of the owner. She stated that the Mackay family has significant history with the Borough, especially with regards to Roosevelt Common and Sunnyside Park. Ms. Heller stated that the HPC made a mistake by not designating it prior to the owner's intent to sell.

Kevin Tremble - Westervelt Avenue - stated he owns a historical designated property and noted, designation does not affect property value. Mr. Tremble commended the council, with special focus on Mr. McClure, for his work defending the Cotswold fountain for the public to enjoy. Mr. Tremble would like to attend a Closed Session to discuss legal strategy so that the property can be designated as historic.

Dave Wall - 11 Cameron Road - Explained how 53 Knickerbocker Road warrants historic designation. Mr. Wall stated that various books and magazines were published pertaining to the Mackay family and the property. He noted there is no expert evidence to counter the landmark status.

Mayor Rustin stated that he would like Mr. Tremble to send a letter or an email detailing the misinformation that he is referring to at the Work Session. Mr. Tremble noted that he did not want to discuss the matter in public, but rather at a Closed Session.

Kevin Tremble - Westervelt Avenue - suggested having a large digital display screen in the Chambers to televise the meetings. He noted that the designation for Nicholas Oresko is an important honor. He stated that it is important for the public to understand sacrifices that

were taken. Mr. Tremble noted on July 17<sup>th</sup> a story of the American Revolution will be held in, on and around the Hudson River from Liberty State Park.

Mark Feldman - 133 Lylewood Drive – commented on a flyer that was distributed at the Memorial Day Parade by Nature Center representatives. He stated the flyer said the building was supported by the Mayor and Council. Mr. Feldman would like to keep the dialogue factual and he noted that the flyer is a misrepresentation that the project has been endorsed by the Mayor and Council. He further noted the issue will be settled by a vote in November. Mr. Feldman stated he is going to send a letter from Save Tenaflly Green Acres regarding the flyer.

Gerry Nigro - 5 Stonybrook Road - stated that there are many aspects of the Tenaflly Nature Center correspondence which are misrepresenting. He noted that he is seeking confirmation or denial of a hydrology study from the Tenaflly Nature Center. He added that the Mayor and Council should demand transparency, hydrology studies and site surveys.

Mel Lubins - 33 Stonybrook Road - appreciated the Mayor and Engineer visiting his property. He questioned whether the Borough Engineer has provided a report. Mr. Lubins stated that he would like the Council to take action or he will file a lawsuit against the town.

Kevin Tremble - Westervelt Avenue - would like to revise Nicolas Oresko Memorial Park designation to Sgt. Nicolas Oresko Memorial Park.

#### CONSENT AGENDA

- #R14-220/Authorize Tree Mitigation Escrow Refund – 9 Kenwood Road
- #R14-221/Authorize Tree Mitigation Escrow Refund – 9 Kenwood Road
- #R14-222/Authorize Tree Mitigation Escrow Refund – 32 Crabtree Lane
- #R14-223/Authorize Tree Mitigation Escrow Refund – 255 Highwood Avenue
- #R14-224/Authorize New Construction & Soil Moving Escrow Refund – 167 Highwood Avenue
- #R14-225/Authorize Cancelation of Stale Check
- #R14-226/Approve Outdoor Seating Application – Zana D Restaurant
- #R14-227/Authorize Refunds – 2014 Tax Court Judgment – Various
- #R14-228/Adopt Personnel Manual
- #R14-229/Award Professional Services Contract - Affordable Housing Administrative Agent – Community Action Services
- #R14-230/Authorize Tree Mitigation Escrow Refund – 31 Cypress Street
- #R14-231/Authorize Additional Engineering Services – Grant Application for Huyler Park Pavilion Project.
- #R14-232/Authorize Additional Engineering Services – Soccer Cage Lighting
- #R14-233/Award Contract – 2014 Micro-Surfacing Road Improvement Program – Asphalt Paving Systems
- ~~#R14-234/Designate Sgt. Nicholas Oresko Memorial Park~~ *moved to New Business*
- #R14-235/Authorize Renewal of Plenary Retail Consumption Liquor License - 2014-2015 Term

Motion by C.LaMastra, second by C. Park that the Consent Agenda be approved as amended.

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

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

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

#### OLD BUSINESS:

None.

#### NEW BUSINESS:

#R14-234/Designate Sgt. Nicholas Oresko Memorial Park

WHEREAS, the Mayor and Council have determined to honor the late Sgt. Nicholas Oresko, a former resident of Tenaflly and famous hero of World War II, who passed away on October 4, 2013, at the age of 96; and

WHEREAS, when Sgt. Oresko passed away, he was the oldest surviving recipient of the Medal of Honor, our nation's highest award for bravery and valor, which had been presented to him on October 12, 1945 by President Harry S. Truman; and

WHEREAS, the Mayor and Council feels that it would be appropriate to honor Sgt. Oresko's memory by naming a park-like area of Block 1008, Lot 1 after this heroic former Tenafly resident.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Tenafly that the green park-like area of Block 1008, Lot 1, which is bounded on the east by Tenafly Road, and is located directly across the street from the United States Post Office, and which area is enclosed by a crescent-shaped paved driveway, shall hereafter be known and designated as "Sgt. Nicholas Oresko Memorial Park"; and

BE IT FURTHER RESOLVED that appropriate and adequate signage shall be designed, created, and installed so as to conspicuously identify the area as "*Sgt. Nicholas Oresko Memorial Park*".

Motion by C.LaMastra, second by C. Warms that #R14-234 be approved.

On a roll call, the vote on #R14-234 was recorded as follows:

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

All members present voting in favor, #R14-234 was approved.

Mayor Rustin noted that a ceremony will be held for the designation of Sgt. Nicholas Oresko Memorial Park.

C. Basch asked the Mayor and Council for a resolution, which acknowledges that they are not to take a position on the upcoming referendum. He further stated he would like a hydrology study report or a study performed. Mayor Rustin advised C. Basch that these are items that need to be raised during For the Good of the Order at a work session.

#### COMMITTEE REPORTS:

Councilman Zinna

TVAC event was an excellent event. The Youth Services meeting met May 28<sup>th</sup>. He noted that only one elementary school attended the 5<sup>th</sup> grade open house. C. Zinna stated that summer camp has 82 registered campers.

Councilwoman LaMastra

The Recreation Department was contacted by 6 individuals interested in coaching Lacrosse. The BID met on June 23<sup>rd</sup>. C. LaMastra noted that members of the executive board will be on vacation in July and August and thus would like to move the BID to meet with Council at the first Work Session in September. She thanked TVAC for the event they held. C. LaMastra would like TVAC to be recognized for the awards they won at the July 15<sup>th</sup> meeting. She stated TVAC will be on call for Tenafly and Englewood's fireworks displays.

Councilman Basch

Thanked the Ambulance Department for the event they held.

Mayor Rustin

Starting after July 4<sup>th</sup>, concerts are going to be held every Tuesday in Huyler Park and Thursday in Davis Johnson Park. Concerts will be held rain or shine. The Administrator advised there will be a special summer newsletter, which will include all summer event information.

MAYOR'S REMARKS:

Mayor Rustin stated that he is concerned with the lack of respect younger residents have for the facilities, especially with regards to Roosevelt Common and the municipal field. He noted that it is an unfortunate continuance of picking up after individuals who leave their bikes and water bottles lying around.

The Mayor agreed with C. Basch, that as a governing body, sides should not be taken, however he highlighted that as an individual, they do have the right to endorse either side. Mayor Rustin stated that the October newsletter will be dedicated to the referendum and both sides will have an opportunity to be heard. He reminded the audience that everyone has agreed to abide by the results of the referendum. Mayor Rustin added that he hopes the referendum will bring the town together.

Mayor Rustin noted that he will remind the Borough Engineer that Mr. Lubins is waiting for a response.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

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