

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, JULY 15, 2014

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

ABSENT: None

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

At 8:41 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. LaMastra, second by C. Zinna, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the June 17, 2014 Regular Meeting, June 24, 2014 Work Session, and June 24, 2014 Regular Meeting are approved.

REVISIONS TO AGENDA:
None.

PRESENTATIONS

Tenafly Volunteer Ambulance Corps – Certificates of Recognition

Certificates were presented by Mayor Rustin and C. LaMastra to the following TVAC members in recognition for their service to the Borough of Tenafly: Max Moehlen, Jason Gales, Mark Eisenberg, Allen Guo, Bryan Lapidus, Cheryl Reynolds, Brett Sherman, Maria Tasigiannis, Avi Sasson, Alex Uematsu, Stephanie Pavlu, Liam Waxman, Rachel Rothstein, David Lewie, Thomas Eisenberg, Brandon Li, Howard Yim, Harry Lee, Emaad Siddiqui, Andy Shim, Mike Doctor, and Nick Casamassimo

Mayor Rustin thanked the volunteers for their excellent service. He also thanked the volunteers' parents for their support and influence.

PUBLIC HEARINGS

#R14-267/Authorize Submission of Green Acres Grant Application – Huyler Park Pavilion Project

C. Zinna moved to adopt #R14-267. Seconded by C. Barzelatto:

Patrick Jamieson and Kelsey Howard from Maser Engineering were present to discuss the purposed pavilion in Huyler Park. The Mayor noted that the project has been a 6 year long process. He stated that the pavilion is the last phase of the project. He described that the previous phases of the project included restoring the bandstand and adding new lighting.

Mr. Jamieson gave a broad overview of the project. He noted that the intent of the pavilion was to shelter elderly and disabled individuals during extreme heat. Mr. Jamieson stated that if the project were to move forward, Maser would provide site support. C. Barzelatto questioned how they determined the location. Mr. Jamieson noted that the layout is consistent with the open space and canopy tree line arrangement. The Administrator also noted that the pavilion would be constructed on a preexisting pad in Huyler Park. Mayor Rustin stated that Mr. Jamieson was not part of the design stage, but has since become involved in the project.

Public Comments on Green Acres Grant Application

Joanne Gambrill - 15 Ravine Road - she stated that there is a gorgeous view of the train station driving down Hillside Avenue. She noted that such an unusual view could not be purchased. Ms. Gambrill stated that she would hate to lose the open space. Mayor Rustin added that the pavilion is going to be placed where the preexisting bricks are located and therefore, would not cover any grass area.

Paul Stefanowitz - 23 Mahan Street - read into the record a resolution that was devised in opposition of the project, by the HPC. Mr. Stefanowitz noted that the pavilion would block the view of the train station. He further noted that Huyler Park was meant to remain a memorial park. He stated that many events are held at the park, which does not require a need for a pavilion. Mr. Stefanowitz questioned the effect the loan would have on tax payers.

Alice Rigney - 48 Knoll Road - voiced her concern over the visual effect the project will have on views of the rail station. Ms. Rigney questioned the necessity and cost of the project. She noted that she would like the Mayor and Council to reconsider proceeding with the third phase.

Mayor Rustin responded to Mr. Stefanowitz and noted that the construction of the pavilion is not intended to accommodate bands.

Michael Barone - 54 Magnolia Avenue - noted that he is an HPC member who was first attracted to the town due to Hyler Park. He stated that he enjoys the view from Hillside Avenue, which overlooks the train station. Mr. Barone noted that the public voiced their concern about the project at the HPC meeting last week.

Bruce Baker - 1 Byrne Lane - expressed his concern over the expense of the project. He questioned whether there were other design alternatives for the construction.

Kevin Tremble - 81 Westervelt Avenue - noted that the idea for a similar structure placed in Huyler Park 15 years ago, also cause controversy. He stated that the project is a distraction to the railroad station. Mr. Tremble further inquired as to the amount the project will cost the borough. He advised the Mayor and Council that rail station maintenance, which he stated yields \$20,000 in upkeep, should take precedence.

Bill Kelly - 24 Midwood Road - does not believe constructing a pavilion in the park is necessary. He noted that the structure will take up space in the small park. Mr. Kelly questioned the amount of space the structure will occupy and the number of individuals the pavilion will be able to hold. He also inquired as to whether the pavilion would be used to serve food. The Mayor stated that it would hold approximately 15 to 20 individuals in wheelchairs.

Martha Kerge - 41 Hillside Avenue - does not believe there is enough information on the intended structure for the public to make an informed decision. She stated that many residents are not aware of the project. Ms. Kerge would like the project postponed or discarded. She questioned if there was another location that the pavilion could be moved to instead of Huyler Park.

Mark Feldman - 133 Lylewood Drive - noted that he believes the driving force for the project application is a time requirement to qualify for the Green Acres loan process. He stated that during the Work Session, the Administrator reported that due to the economic state of Tenafly, a grant would be unlikely and a loan interest rate would be too high. He added that a decision on whether to proceed with the project is not necessary tonight.

Gerry Nigro - 5 Stonybrook Road - stated that Huyler Park is a special place for residents in Tenafly. He noted that the structure would change Tenafly.

Kelsey Howard - Maser Engineering – informed the Council and the public that Tenafly is only eligible for a low interest loan, as the town is not an urban area or densely populated.

C. Basch noted that the pavilion was only to come about if the bandstand could not be restored. He stated that there is no public support for the project. He further added that the CFO also advised against the pavilion. C. Basch does not see a reason to continue the project with zero economic incentive and zero public support.

C. Warms advised that he also would be voting against the construction of the pavilion.

C. LaMastra noted that she reviewed the history of the project. She stated the initial plan was to reposition the piece to face north instead of south. She added the plans also specified removing the bandstand, however she noted that there was strong support to preserve the bandstand. C. LaMastra stated that there was never any intent to have two structures in the park. She further noted that the plans had not been looked at since 2009. C. LaMastra also advised that she will not support the project.

C. Barzelatto stated the park is beautiful. C. Barzelatto noted that he would like to redirect the funds to the audio system in the park.

C. Zinna also objected to proceeding with the project.

C. Park agreed not to continue with the pavilion.

Mayor Rustin noted that he does not like wasting time or money. He added there is no support to continue the design of the pavilion.

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

C. Barzelatto:	nay	C. Park:	nay
C. Basch:	nay	C. Warms:	nay
C. LaMastra:	nay	C. Zinna:	nay

All members present voting in opposition, #R14-267/Authorize Submission of Green Acre Grant Application – Huyler Park Pavilion Project was rejected.

PUBLIC COMMENTS

Joanne Gambrill - 15 Ravine Road - noted that the Mayor announced that there will be an opportunity for supporters and non-supporters of the Nature Center building to state their case in the October newsletter. Ms. Gambrill stated that there was nothing publicized for the light rail debate and hopes it does not occur with the Nature Center.

Mayor Rustin stated that there was a special newsletter, which pertained to the light rail.

Kevin Tremble - Westervelt Avenue - thanked the Mayor and Council for their vote in opposition of the pavilion. Mr. Tremble inquired about his offer to meet in Closed Session to discuss legal strategy pertaining to 53 Knickerbocker. He further questioned why private property rights were put ahead of public comment. He noted that the HPC has set procedures for consideration of an ordinance for historic designation. He stated that he thinks the borough has missed the opportunity for not pursuing a designation.

Gerald Nigro - 5 Stonybrook Road - submitted two letters to the Mayor and Council, which he stated he would like the full text of the letter to be incorporated into the minutes.

CONSENT AGENDA

#R14-237/Approve Expenditures as of July 9, 2014

#R14-238/Approve Outdoor Seating Application – Chez Cheese

#R14-239/Authorize Refund – Overpayment of Taxes – Corelogic

#R14-240/Authorize Refund – Overpayment of Taxes – Wells Fargo

#R14-241/Authorize Refund – Overpayment of Taxes – Various

#R14-242/Authorize Retroactive Tax Credit - 2013 Senior Citizen Deduction - Vollinger

#R14-243/Execute Bergen County Open Space Trust Fund Project Contract - Griffin Park ADA & Park Improvements

#R14-244/Authorize Refund – New Construction & Soil Moving Escrow – 10 Sussex Road

#R14-245/Authorize Refund – New Construction & Soil Moving Escrow – 46 Glenwood Road

#R14-246/Close Inactive Tenafly Presents Trust Accounts

#R14-247/Close Inactive Environmental Trust Account

#R14-248/Close Inactive Security Deposit Trust Account

#R14-249/Close Inactive Miller Memorial Trust Account

#R14-250/Approve Raffle Application – RA 1088

#R14-251/Authorize Refunds – 2012 Tax Court Judgment

#R14-252/Redeem Tax Title Lien – TTL12-2

#R14-253/Redeem Tax Title Lien – TTL13-2

#R14-254/Authorize Refund – Recreation Department – Various

#R14-255/Authorize Refund – Youth Services Teen Summer Camp – Kosikov

#R14-256/Authorize Refund – Youth Services Teen Summer Camp – Davis

#R14-257/Award Contract – 4 Clean Up, Inc. – Tenafly Road Section 3 Project

#R14-258/Authorize Professional Engineering Services – Construction Administration Services – Tenafly Road Section 3 Project
#R14-259/Approve Change Order #1 – Municipal Complex Security Cameras Project
#R14-260/Authorize Release of Maintenance Bond - 101 Piermont Road – Garber
#R14-261/Award Contract – Repair and Restoration of the Theodore Roosevelt Monument
#R14-262/Award Contract – Solid Waste Transfer Station Operator
#R14-263/Authorize Permission – Knickerbocker Country Club Fireworks Display
#R14-264/Approve Interlocal Contract for Cooperative Purchasing Contract with National Joint Powers Alliance (NJPA)
#R14-265/Authorize Return/Refund of Street Opening Bonds – Various
#R14-266/Award Contract – 2014 Road Resurfacing

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

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

C. Barzelatto:	aye	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.

COMMITTEE REPORTS:

Councilman Zinna

The Police Commission meeting was held July 8th. The meeting discussed SRO training. He noted that the department is 5 points away from satisfying requirements for an accreditation. A communication upgrade for antennas and repeaters was discussed at the meeting.

COAH meeting was held July 15th. He noted that the deadline to provide comments regarding the proposed legislation is August 2nd.

Mayor Rustin

The Bergen County United Way noted HMFA approved \$1.1 million for the BCUW project.

Mayor Rustin noted that he attended a meeting in Westwood regarding The Pascack Meals on Wheels program for seniors. He stated that the person giving the tour was from a company called IT America. He explained that the setup was similar to taxi services, which are available 24 hours a day and 7 days a week.

The Tree Committee was created. DPW Director, Bob Culvert, met with 7 volunteers. The newsletter will announce how residents can go about getting a tree planted on their lawn.

The 3rd summer concert was held on July 15th, which was moved indoors due to poor weather conditions. The Mayor noted that there has been a great turnout for the concerts.

Mayor Rustin stated that he spoke with a professional sound guy about hiring him for the Memorial Day Ceremony in Huyler Park, which he stated would be a small sound project.

Councilwoman LaMastra

The Recreation Board did not meet this month due to lack of a quorum.

C. LaMastra noted that 14 individuals are attending classes to obtain their EMT certification for TVAC.

Councilman Basch

Thanked the Administrator for her work organizing the firework display. He stated that the Administrator has had a positive effect on the Borough and has made a noticeable improvement.

C. Basch noted that the HPC will work on the sign for Sgt. Oresko Memorial Park

OLD BUSINESS:

None.

NEW BUSINESS:

- Introduction of Ordinance

C. LaMastra moved to introduce and pass on first reading Ordinance 14-16 on first reading and setting August 12, 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 Tenaflly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Zinna:

The Borough Clerk read the ordinance into the record:

ORDINANCE NO. 14-16 - AN ORDINANCE TO AMEND CHAPTER IX OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "PERSONNEL POLICIES"

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

C. Barzelatto:	aye	C. Park:	aye
C. Basch:	aye	C. Warmes:	aye
C. LaMastra:	aye	C. Zinna:	aye

- C. Barzelatto reported that Council has authorized the Police Chief for the formation of 12-hour shifts for the Borough Police Department. He noted that the labor attorney will notify the PBA attorney with details.

MAYOR'S REMARKS:

None.

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 10:00 p.m.

Respectfully submitted,

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