

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, JANUARY 28, 2014

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

ABSENT: Council member Anthony Barzelatto

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

At 8:33 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.

Mayor Rustin requested a moment of silence for the passing of former Councilman Bill Parmer.

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

BE IT RESOLVED that the Minutes of the January 7, 2014 Work Session, January 14, 2014 Regular Meeting, and January 14, 2014 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:

None.

PUBLIC COMMENTS

Johanne Gambrell – 15 Ravine Road – hoped Council will speak into the microphone.

Ernest Kollitidies – 164 East Clinton Avenue – commented how the rates increased after an initial decrease when he changed energy suppliers. He noted that if Council decides to proceed with the energy aggregation concept, residents should read and compare their bills for at least 3 to 6 months.

Sylvia Meyerson – 133 Kent Road – inquired about the status of referendum.

C. Zinna explained that he will chair the subcommittee to help develop the referendum language and is waiting for 2 names from each group. As soon have names, the committee will meet in February to put agenda together for the language.

Tom Nigro – 5 Stony Brook Road – welcomed Councilmembers Park and Basch, requested that Council establish a date for a final draft of the resolution and confirm a date for the referendum, and noted that with alternate power suppliers there is a fixed rate and floating rate structure.

Mayor Rustin responded that the governing body is committed to having a referendum in the November 2014 General Election, but in order to have a referendum on the ballot there needs to be an interpretive statement. He advised that Council could've taken it upon themselves to write the statement, but instead determined to have a committee to work on the interpretive statement – not easy to come to agreement – will be going to start as soon as possible. If want to get it to move along – submit the 2 names. Council made the commitment. The importance – have commitment from 7 elected officials to get it done. If in a rush – hand in the names so can follow up with the other group.

Alvin Meyerson – 133 Kent Road – asked who is going to draft the referendum question which the interpretive statement would be referencing.

Mayor Rustin responded that the governing body agreed to have a referendum on the ballot to decide whether Nature Center project will go forward off of the proposed East Clinton Avenue site. The referendum on the ballot consists of a question and an interpretive statement. The interpretive statement explains the question. The fairest way to get the

referendum on the ballot is to get input from everyone concerned, which is the purpose of the committee. Goal is to get it done before the August deadline.

Wendy Podos – 2 Knoll Road – inquired who the community members were also being appointed to the committee.

C. Zinna confirmed that the question and interpretive statement will be drafted by the committee. Mayor Rustin confirmed that a representative from the Environmental Commission and Historic Preservation Commission would be the community members of the committee.

David Simpson – 12 Woodland Park Drive – stated that the proposition of approving the relocation of the Nature Center is a simple question, but the dicey part is the interpretive statement. He inquired if it is possible to have 2 short statements in the newsletter for each side’s characterization of the referendum.

Mayor Rustin asked the Borough Attorney to research what boundaries are involved if Mr. Simpson’s request can be granted.

Johanne Gambrell – Ravine Road – referenced the light rail controversy and commented that the committee should not have 2 extra people from the community.

Mayor Rustin noted that it was time for the hearings on the ordinances and that public comments portion of the meeting will continue at after the conclusion of the hearings.

PUBLIC HEARINGS

ORDINANCES 14-01 & 14-02:

The Borough Clerk read into the record:

The following ordinances published herewith were first read by title only on January 14, 2014, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 14-01 - AN ORDINANCE AMENDING CHAPTER 2-47 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY AND AUTHORIZING THE ESTABLISHMENT OF A JUNIOR FIREFIGHTER’S AUXILIARY PURSUANT TO N.J.S.A. 40A:14-95, ET SEQ.

ORDINANCE NO. 14-02 - AN ORDINANCE AMENDING CHAPTER II, SECTION 2-57.2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY SETTING FORTH THE MEMBERS AND CLASS QUALIFICATIONS OF THE HISTORIC PRESERVATION COMMISSION

Public Comments on Ordinances 14-01 & 14-02

No one came forward.

Motion by C. LaMastra, second by C. Zinna that Ordinances 14-01 and 14-02 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:	absent	C. Park:	aye
C. Basch:	aye	C. Warms:	aye
C. LaMastra:	aye	C. Zinna:	aye

Public comments continued –

Tom Nigro – complained that no one from the Nature Center has been attending the Council meetings.

Ernest Kollitidies – 164 East Clinton Avenue – suggested that the Environmental Commission and Historic Preservation Commission representatives should be neutral and objective and have not been documentation on taking a position on either side of the issue to date.

C. Basch expressed that since both parties don’t trust each other, the community is looking for statement from Council, which should be a resolution indicating that the governing body wants a referendum and that the Borough will not consider any more actions on the project until a referendum makes a decision.

Mayor Rustin noted that the only action that will assure commitment of the referendum is the resolution with the question and interpretive statement to be submitted for the election. As far as the committee is concerned, he understands the concerns expressed about the makeup of the committee. He stated that as a Mayor and Council, we represent everybody and the Historic Preservation Commission and Environmental Commission have every right to have input. He agreed that the appointed members must not have shown a bias one way or another as suggested by Mr. Kollitides. Mayor Rustin confirmed that there will be a referendum in November and if the committee cannot come to an agreement on the question and interpretive statement, then the Council will initiate the process.

CONSENT AGENDA

- #R14-59/Approve Expenditures as of January 24, 2014
- #R14-60/Authorize Agreement – Cooper Pest Solutions
- #R14-61/Authorize Refunds – 2013 Tax Court Judgments - Various
- #R14-62/Approve Amendment to the Riverside Cooperative Agreement
- #R14-63/Authorize Agreement – Bergen County Department of Health Services – Employee Assistance Program
- #R14-64/Authorize Agreement – Bergen County Department of Health Services – Animal Control Services
- #R14-65/Authorize Agreement – Hackensack University Medical Center – Health Awareness Regional Program
- #R14-66/Authorize Agreement – Mid-Bergen Regional Health Commission – Public Health & Environmental Health Services
- #R14-67/Authorize Agreement – Valley Health Medical Group – Drug & Alcohol Testing
- #R14-68/Authorize Agreement – Interboro Mutual Aid Group
- #R14-69/Authorize Refunds – Recreation Department – Various
- #R14-70/Authorize Reimbursement – Recreation Department – Fingerprinting Fee
- #R14-71/Authorize Refund – Construction & Soil Moving Escrow – 108 Buckingham Road
- #R14-72/Authorize Refund – Construction & Soil Moving Escrow – 199 Highwood Avenue
- #R14-73/Authorize Auction of Surplus Property – GovDeals.com
- #R14-74/Approve Raffle Application – RA1068

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

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.

COMMITTEE REPORTS:

Councilman Warms

C. Warms reported that the Annual Meeting of the Nature Center will be March 30th with Lori Stokes as the honorary chairwoman and Jen Maxfield as the master of ceremonies. Earth Day will be celebrated by the Nature Center and the Green Team on Saturday, April 26th. C. Park noted that for the Earth Day event, there are coordinated efforts being made to have tables for the BCUA, PSEG for a presentation on solar energy, and for representatives of the Chemical Awareness Program (CAP). On behalf of the Board of Health, flu season is reaching its crescendo and reminded residents to get immunized.

Councilwoman LaMastra

The BID selected its new officers: Khalid Mansoor is the president, Robin Brown is the vice president, Stephanie Pasternak is the secretary, and Carol Geisenheimer is the treasurer. C. Zinna attended the meeting and proposed his redevelopment idea regarding the Senior Center. At the TVAC meeting, C. Barzelatto presented the CERT program, which was well-presented and well received.

Councilman Zinna

The Chamber of Commerce met on January 15th and requested if the blinking traffic light by Barretts Funeral Home can be made into a full red light. They expressed interest in changing Piermont Road back to a 2-way street. There is a new decorating business on Railroad Avenue, called So Home. Mayor Rustin noted that to change the traffic light, not only does it require County approval, but land would have to be taken from the funeral home and the Clinton Inn.

OLD BUSINESS:

None.

NEW BUSINESS:

Introduction of Ordinances

C. Zinna moved to introduce and pass on first reading Ordinance 14-03 on first reading and setting February 11, 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. Warms:

The Borough Clerk read the ordinance into the record:

ORDINANCE NO. 14-03 - AN ORDINANCE AMENDING CHAPTER II, SECTION 2-45.5 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY

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

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

MAYOR'S REMARKS:

Mayor Rustin advised that he received a nice letter from Harriet Tanner from the Community Chest thanking Council for being honored at the Recess Meeting.

Mayor Rustin noted that Ordinance 14-02 authorizes the membership of a student liaison to the Historic Preservation Commission and he is appointing Nick Stefanowicz as the student liaison. He is also appointing Doug Murray and Olga Molanos to the Green Team which is a committee to the Environmental Commission that works on the Borough's certification for Sustainable Jersey.

Mayor Rustin commented on the passing of Pete Seeger for his music, interest in the environment and important role in cleaning Hudson River.

With regards to the referendum, the governing body has the intention of having the referendum. He will reach out to the Historic Preservation Commission and Environmental Commission to make sure the appointees have not advocated one way or another regarding the project.

Next Wednesday he will attend the Mayors Legislative Day in Trenton. The main topics of discussion will be the energy receipts tax and COAH. C. Warms suggested that the mayors advocate that the cap on interest arbitration continue since current legislation has a expiration date.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Park, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk