

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, OCTOBER 14, 2014

PRESENT: Mayor Peter Rustin, and Councilmembers 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 7:54 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. "

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 September 30, 2014 Work Session, September 30, 2014 Regular Meeting, October 7, 2014 Work Session, and October 7, 2014 Closed Session are approved.

C. Park abstained from the October 7th meeting minutes.

REVISIONS TO AGENDA:
None.

AUDIENCE REMARKS FOR AGENDA ITEMS:
No one came forward.

CONSENT AGENDA:

#R14-328/Approve Expenditures as of October 8, 2014

#R14-329/Authorize Execution of Recycling Agreement – Atlantic Coast Fibers

#R14-330/Authorize Refund – Commuter Parking

#R14-331/Authorize Refunds – Recreation Department - Various

#R14-332/Authorize Refunds – Recreation Department – Fingerprint Reimbursement

#R14-333/Authorize Tree Mitigation Escrow Refund – 68 Norman Place

#R14-334/Approve Raffle Application – RA1093

#R14-335/Approve Person-to-Person Transfer of Plenary Retail Distribution License Number #0261-44-017-003

#R14-336/Authorize Additional Engineering Services - 2014 Bergen County Open Space Grant Application - Roosevelt Common Tennis Court Lighting Project

#R14-337/Authorize Submission of Grant Application - Bergen County Historic Preservation Trust Fund – Roosevelt Monument Lighting.

Motion by C. Zinna , second by C. LaMastra, 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:	absent	C. Warms:	aye
C. LaMastra:	aye	C. Zinna:	aye

COMMITTEE REPORTS:

Mayor Rustin

Mayor Rustin noted his disappointment with PSE&G over the road work done on W. Clinton Avenue and

Knickerbocker Road. He stated that he met with a Public Service representative, along with the Police Chief, the DPW Director and the Borough Administrator regarding the situation. Mayor Rustin stated that the police only found out about the project one day prior to the start date, which he added is not ample notice time. He further added that he was concerned that it would affect the road. Mayor Rustin noted that PSE&G promised to mill and pave from the curb to the center of the road. The purpose of the work was to increase the capacity of the gas lines.

Mayor Rustin stated that he attended the Mayor's breakfast. He noted David Grubb, the Head of JIF was also in attendance. State Senate bills were discussed at the breakfast. Mayor Rustin also stated that Workers Comp claims for firemen with cancer were also discussed.

PUBLIC HEARINGS

- **ORDINANCES 14-17 and 14-18:**

The Borough Clerk read into the record:

The following ordinances published herewith were first read by title only on September 23, 2014, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 14-17 - AN ORDINANCE TO AMEND CHAPTER XX OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "STREETS AND SIDEWALKS", AND MORE PARTICULARLY AMENDING SECTION 20-4, ENTITLED "STREET OPENINGS"

ORDINANCE NO. 14-18 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE TENAFLY ADMINISTRATIVE EMPLOYEES BARGAINING UNIT FOR THE CALENDAR YEARS 2014, 2015, AND 2016

Public Comments on Ordinances 14-17 and 14-18

No one came forward.

Motion by C. Zinna , second by C. Park that Ordinance 14-17 and 14-18 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:	absent	C. Warms:	aye
C. LaMastra:	aye	C. Zinna:	aye

- **#R14-338/Subordinate Right of Reverter – 311 Tenafly Road**

Motion by C. Park, second by C. Warms , that **#R14-338/Subordinate Right of Reverter – 311 Tenafly Road** be adopted.

Public Comments on #R14-338

No one came forward.

Mr. McClure noted that under the statute the Borough is required to hold a hearing, which he added, also include recording of corrective deed.

On a roll call, the vote on #R14-338 was recorded as follows:

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

OLD BUSINESS:
None.

NEW BUSINESS:

- 2014 Best Practices Inventory

Mayor Rustin stated that the state has created a Best Practices questionnaire, which the CFO answers and certifies to the state. He noted that there are 50 questions. He stated the Borough's score is 45. Mrs. Thompson-Chin advised that due to the Borough's score, the final payment of state aid will not be affected.

- Introduction of Ordinance

C. LaMastra moved to introduce and pass on first reading Ordinance 14-19 on first reading and setting October 28, 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 Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Zinna:

The Borough Clerk read the ordinances into the record:

ORDINANCE NO. 14-19 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC"

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

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

Joanne Gambrell – Ravine Road – stated that she has been a member of the Tenakill Swim Club for 30 years. She inquired as to when Closed Session meeting minutes are made available to the public. Mr. McClure stated that the nature of the session must be disclosed to the public; however legal agreements must be done in closed session. He added any action taken is done in the public forum. Ms. Gambrell stated that the swim club financials has not been disclosed for 5 years. She also stated that that the swim club has not had an audit for 5 years.

MAYOR'S REMARKS:

The Mayor noted that he had suggested in the past about having a CCO (Continuing Certificate of Occupancy), which would allow the property to be inspected every time it is sold. However he stated that he never attained the full approval to proceed with the CCO.

He stated that a CRO (Certificate of Rental Occupancy) would allow for an inspection on multiple dwelling units after each tenant moves out. He stated that the schools inquired as to what can be done after receiving multiple family school registrations per residence. He added that the most important issue is safety and to make sure there is no illegal construction or sub-pumps.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 14-339.

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. Attorney-Client Privilege
 1. Swim Club Leases - Parking Lot Maintenance

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. Zinna, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 8:22 p.m.

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 8:48 p.m.

Respectfully submitted,

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