

# **Borough of Tenafly**

## **MAYOR AND COUNCIL**

### **MINUTES**

**TUESDAY, OCTOBER 28, 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 9:40 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."

Mayor Rustin offered a moment of silence in memory of Harvey Eisner, who had been a Tenafly Fire Chief for 12 years and a member of the Tenafly Fire Department since 1976. Mayor Rustin stated that Mr. Eisner was a world renowned expert in firefighting. He also was on the fire department in San Francisco. The Mayor added that he was an Honorary Assistant Chief in New York City. C. Barzelatto stated that he had known Mr. Eisner since 1978 and had looked up to him. C. Barzelatto added that his knowledge is irreplaceable. C. Warms stated that Mr. Eisner started out applying for the NYFD, however due to unexpected knee issues; he instead, became a long term volunteer firefighter in Tenafly. He suggested renaming the municipal field in memory of Mr. Eisner. Mayor Rustin stated that the renaming should be tied into something involving firefighting.

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 October 14, 2014 Regular Meeting and October 14, 2014 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:  
None.

#### **PUBLIC COMMENTS**

Joanne Gambrell – Ravine Road – noted that she followed the BID since 2009. She stated that she was curious about the organization, which sponsored Buy Local. She added that she Googled the organization and noted that it was similar to the BID. She added that she does not see the purpose of having two similar organizations. She urged the Council to research the organization.

Steven Strompf – noted that he is the founder of Children's Tree Art Foundation. He added that he saved a 350 year old white ash tree from becoming woodchips over at Mackay School, which has been removed for safety reasons. Mr. Strompf stated that he contacted the Borough and wood workers to incorporate the pieces of the tree elsewhere. He discussed the difference between clear cutting trees versus picking. He stated that clear cutting is where tree life is completely destroyed, however he noted that picking allows for careful consideration to be able to leave as many trees as possible. He added that picking is time consuming and costly. Mr. Strompf stated that the Nature Center is not going to clear cut the trees. He added that he recommended that they save the tinder from the trees that are cut down. He further voiced his concern over the vote no to forest destruction signs. Mr. Strompf stated that there will be no forest destruction. He further added that he hopes the residents will vote yes in favor of TNC.

Mayor Rustin commended Mr. Strompf for his work in repurposing the wood from the tree.

Mark Feldman – 133 Lylewood Drive – stated that he strongly agreed with C. Barzelatto. He added that he does not believe that the BID have proven themselves. He noted that prior to the BID, Tenafly had a business development company, which was appointed by the Mayor

and Council. He noted that the business development did not have taxation powers. He stated that he believes that the Borough should go back to the model used previously where it would not burden tax payers. He further stated that he feels it is silly to tell residents that there is some virtue from buying local versus buying somewhere else.

Risa Rosenberg – Newcomb Road - spoke on behalf of the Nature Center. She stated that TNC has filed a response to the public comments, which are approximately 14 pages that were sent to the National Parks Association.

Johanne Gambrell – Ravine Road – would have liked the public to have been engaged from the beginning with regards to tree comments.

#### CONSENT AGENDA

**#R14-340/**Approve Expenditures as of October 22, 2014

**#R14-341/**Authorize Supplemental Professional Engineering Services – Construction Management of Soccer Cage Lighting

**#R14-342/**Authorize Redemption of Tax Title Lien 2014-4

**#R14-343/**Approve Raffle Application – RA1094

**#R14-344/**Cancel Tax Sale Certificate 13-6

**#R14-345/**Authorize Execution of Contract - Concrete Construction Corp - Bergen County Cooperative Curb Ramp Program

**#R14-346/**Approve Tree Mitigation Escrow Refund – 52-54 Madison Avenue

**#R14-347/**Approve Tree Mitigation Escrow Refund – 22 Somerset Road

**#R14-348/**Approve Tree Mitigation Escrow Refund – 23 North Brae Court

**#R14-349/**Approve New Construction and Soil Moving Escrow Refund – 68 Norman Place

**#R14-350/**Approve New Construction and Soil Moving Escrow Refund – 5 Day Avenue

**#R14-351/**Authorize Issuance of Purchase Orders – Senior Center Patio Improvements Project

Motion by C. Warmes, 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:	abstain	C. Warmes:	aye
C. LaMastra:	aye	C. Zinna:	aye

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

#### PUBLIC HEARINGS

- **Ordinance #14-19**

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on October 14, 2014, and posted on the bulletin board of the lobby of the municipal center.

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

Public Comments on Ordinances 14-19

No one came forward

Motion by C. Park, second by C. Zinna that Ordinance 14-19 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 for Ordinance 14-19 was recorded as follows:

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

- **#R14-352/**Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Tennis Court Lighting Facilities at Roosevelt Common

C. LaMastra moved to adopt #R14-352/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Tennis Court Lighting Facilities at Roosevelt Common. Seconded by C. Warms:

Mr. Patrick Jamieson - Project Manager for Maser Consulting - discussed the Open Space Trust Grant. He noted that the grant is a 50% trust grant. He stated that the three existing tennis courts on the western side of Roosevelt Common will be replaced. He added that the estimated total cost for the project is \$126,150.00

Public Comments on Bergen County Open Space Trust Fund Municipal Program Park Improvement Application  
No one came forward.

On a roll call, the vote 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, #R14-352/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Tennis Court Lighting Facilities at Roosevelt Common was approved.

OLD BUSINESS:

None.

NEW BUSINESS

C. Barzelatto stated that he would like to make a resolution for the governing body to support the Nature Center. The Borough Attorney stated that support for TNC is not something that can be discussed at the Good of the Order. Mayor Rustin noted that each individual of the governing body has the right to take their own stance, however he stated that for the governing body to make a decision as a whole, it must be done in the Work Session.

COMMITTEE REPORTS:

Councilmember Warms

C. Warms noted that the Planning Board was eagerly awaiting the implementation of the COAH rules, which were supposed to be announced at the October meeting. He stated the COAH panel has been deadlocked on the rules and have not approved any thus far.

MAYOR'S REMARKS:

Mayor Rustin stated that he was very impressed that there are two organizations to look after the environment. He noted that he hopes the community continues to work together, regardless of the result of the referendum. He stated that he has been pleased to see how residents have advocated for the most part. Mayor Rustin encouraged residents to vote in the November 4th election.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 14-353.

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. Personnel
  1. Department of Public Works
    - a. Sick Leave/FMLA
    - b. Retirement
  2. Finance Department - Retirements

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. Barzelatto, seconded by C. Park, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 10:14 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. LaMastra, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:45 p.m.

Respectfully submitted,

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