

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

MONDAY, AUGUST 10, 2015

PRESENT: Mayor Rustin and Councilmembers Anthony Barzelatto, Maxim Basch, Nadia LaMastra, Daniel Park, Paul Stefanowicz, and Mark Zinna

ABSENT: None.

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 notice of this meeting by Resolution #15-101 has been sent to the Record, Suburbanite, and Northern Valley Press, has been posted on the bulletin board in the lobby of the Municipal Center and Borough Website"

The Salute to the Flag was led by Mayor Rustin

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

BE IT RESOLVED that the Minutes of the July 13, 2015 Work Session, July 13, 2015 Regular Meeting, and July 13, 2015 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:
none

PUBLIC COMMENTS

Joanne Gambrill – Ravine Road- stated that it would have been nice to have implemented a Nature Center building where the building already exists. She added that where the building was to be built was on protected land. Ms. Gambrill commented regarding the pond survey and noted that there are ways to present the survey which will encourage people to vote. She further noted that the Swim Club leases are part of public record. She questioned which leases are going to be discussed in the Closed Session. The Borough Attorney noted that the only two active leases regarding the parking lot will be discussed.

Dave Wall- HPC Chairman – noted that he cannot understand why wealthy people would be willing to spend \$12 million for a mansion in Saddle River, which has less privacy and the property is further in proximity to Manhattan rather than Tenafly. The Mayor encouraged him to write a letter to the Record.

Robbin T. Brown – provided the historic and architectural significance of 53 Knickerbocker Road. She added that the idea of pursuing designation would be wise to prevent reuse potential. Ms. Brown urged the Borough to consider public-private arrangement. She stated that the property still has a use for single-family house.

Hercules Venetis – 3 Columbus Drive – believes it would be great to preserve 53 Knickerbocker Road. He questioned whether there was any way to find out about and be more proactive regarding future historic designations. Mr. Venetis suggested sending information regarding 53 Knickerbocker Road to national magazines.

CONSENT AGENDA

#R15-261/Approve Expenditures as of August 5, 2015

#R15-262/Authorize Refund – Tax Court Judgment

#R15-263/Approve Tree Mitigation Escrow Refund – 3 Last Road

#R15-264/Approve Tree Mitigation Escrow Refund – 9 Kenwood Road

#R15-265/Approve Tree Mitigation Escrow Refund – 15 Woodhill Road

#R15-266/Approve Tree Mitigation Escrow Refund – 19 Sisson Terrace

#R15-267/Approve Tree Mitigation Escrow Refund – 20 Esmond Place

#R15-268/Approve Tree Mitigation Escrow Refund – 84 Newcomb Road

#R15-269/Approve Tree Mitigation Escrow Refund – 93 Prospect Terrace

- #R15-270/Approve Tree Mitigation Escrow Refund – 183 Serpentine Road
- #R15-271/Approve Tree Mitigation Escrow Refund – 240 Oxford Drive
- #R15-272/Approve Tree Mitigation Escrow Refund and Transfer to the Tree Replacement Fund – 224 Highwood Avenue
- #R15-273/Approve Engineering Escrow Refund – 39 Grove Street
- #R15-274/Authorize Recreation Department Refunds – Various
- #R15-275/Authorize Recreation Department Refunds – Fingerprint Reimbursement
- #R15-276/Approve Tree Mitigation Escrow Refund – 1 Grandview Terrace
- #R15-277/Authorize Redemption of Tax Title Lien 2014-2
- #R15-278/Authorize Refund – Carrington Mortgage Services
- #R15-279/Award Contract – Construction of DPW Administration Building – LMN Contracting
- #R15-280/Authorize Release of Performance Bond – Shelter Development, LLC
- #R15-281/Approve Raffle Application – RA 1116
- #R15-282/Authorize Retention of Licensed Site Remediation Professional
- #R15-283/Approve Roof Permit Refund – 30 Riveredge Road
- #R15-284/Approve Tree Mitigation Escrow Refund – 14 Birchwood Place
- #R15-285/Authorize Execution of Bergen County Trust Fund Project Contract – Roosevelt Common Tennis Court Lighting Project
- #R15-286/Authorize Purchase of Electricity Supply Services for Public Use on an Online Auction Website
- #R15-287/Authorize Purchase of Electricity Supply Services for Public Use on an Online Auction Website – Lighting Meters
- #R15-288/Approve Street Opening Refunds - Various

Motion by C. Zinna, 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. Stefanowicz:	aye
C. LaMastra:	aye	C. Zinna:	aye

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

PUBLIC HEARINGS

- **ORDINANCES 15-10 & 15-11**

The Borough Clerk read into the record:

The following ordinances published herewith were first read by title only on July 13, 2015, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 15-10 – AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS REPRESENTED BY THE TENAFLY PUBLIC WORKS SUPERVISORS BARGAINING UNIT FOR THE CALENDAR YEARS 2014, 2015, AND 2016

ORDINANCE NO. 15-11 - AN ORDINANCE CREATING NEW SECTION 3-17 IN CHAPTER III OF BOROUGH REGULATIONS, WHICH SHALL BE ENTITLED “SALES OF TOBACCO AND NICOTINE DELIVERY PRODUCTS”.

Public Comments on Ordinances 15-10 and 15-11

Karen Blumenthal – Executive Director of GASP – stated that if the ordinance is to be adopted tonight, it will be the 9th community in NJ to do so. She noted that the American Medical Association has passed a resolution in support of increasing the age, which also included e-cigarettes.

Motion by C. LaMastra, second by C. Park that Ordinances 15-10 and 15-11 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote for Ordinance 15-10 and 15-11 were recorded as follows:

C. Barzelatto:	aye (nay 15-10)	C. Park:	aye
C. Basch:	aye	C. Stefanowicz:	aye
C. LaMastra:	aye	C. Zinna:	aye (nay15-11)

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 15-290.

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
 - 2. Ahn v. Board of Education, et. al.

- B. Collective Bargaining
 - 1. PBA Local 376 Contract

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. Zinna, seconded by C. Park, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:04 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. Park, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:38 p.m.

Respectfully submitted,

Lissette Aportela,
MPA, RMC, CMC
Borough Clerk