

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, SEPTEMBER 29, 2015

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

ABSENT: Councilmember Anthony Barzelatto

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

At 8:53 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 Rustin

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

BE IT RESOLVED that the Minutes of the September 1, 2015 Work Session, September 1, 2015 Closed Session (not to be released), September 17, 2015 Regular Meeting, and September 17, 2015 Closed Session (not to be released) are approved.

C. LaMastra recused herself from the September 17th minutes as she was absent.

REVISIONS TO AGENDA:

None.

PUBLIC COMMENTS

Hercules Invictus – 3 Columbus Drive - thanked the Mayor and Council for creating a great environment to live in.

Mark Feldman – 133 Lylewood Drive – stated that he was surprised to see the PBA salary ordinance on the agenda. He added that he read in a newspaper in January that the State Appellate Court upheld judgement in favor of Tenafly for the terms and conditions that the arbitrator awarded for the Police contract. Mr. Feldman informed that he has not heard anything since the local and state PBA tried to appeal the decision to the NJ Supreme Court. He questioned whether the Supreme Court has ruled. The Borough Attorney advised that the Supreme Court refused to hear their appeal, which he noted left the Appellate's decision affirming the arbitrator's award.

CONSENT AGENDA

#R15-320/Approve Expenditures as of September 23, 2015

#R15-321/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 64 Engle Street

#R15-322/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 300-302 Tenafly Road

#R15-323/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 42 Madison Avenue

#R15-324/Approve Tree Mitigation Escrow Refund – 162 Jefferson Avenue

#R15-325/Approve Tree Mitigation Escrow Refund – 3 Mountain Road

#R15-326/Approve Tree Mitigation Escrow Refund – 276 Highwood Avenue

#R15-327/Approve Tree Mitigation Escrow Refund – 52-54 Madison Avenue

#R15-328/Authorize Submission and Confirm Endorsement – Community Development Block Grant

#R15-329/Authorize Renewal of Plenary Retail Consumption License – 115 Sanz County Road LLC – Pursuant to Special Ruling by the Executive Director of the Division of Alcoholic Beverage Control – 2015-2016 Term

#R15-330/Authorize Renewal of Plenary Retail Consumption License – New Hong Bo Suk Restaurant, Inc. – 2014-2015 Term

#R15-331/Approve Tree Mitigation Escrow Refund – 45 Oxford Drive

#R15-332/Authorize Utilization of Look-Back Measurement Method for Compliance with the Affordable Care Act

#R15-333/Award Contract – Senior Center Doors and ADA Ramp Installation Project

#R15-334/Amend Municipal Shared Services Defense Agreement

#R15-335/Authorize Refund – Engineering Escrow – 55 Farview Road

#R15-336/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 21 Jefferson Avenue

#R15-337/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 39 Grove Street

#R15-338/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 30 Leonard Avenue

#R15-339/Authorize Refund – COAH Payment – 240 Hickory Avenue

#R15-340/Approve Tree Mitigation Escrow Refund – 38 Surrey Lane

#R15-341/Approve Tree Mitigation Escrow Refund – 50 Trafalgar Road

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:	absent	C. Park:	aye
C. Basch:	aye (#R15-329 & #R15-330 nay)	C. Stefanowicz:	aye
C. LaMastra:	aye	C. Zinna:	aye

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

COMMITTEE REPORTS:

Councilman Park

Joint Use discussed the parking lot lease, which will be reviewed at the next Work Session. The Administrator noted that at the October 6th meeting, representatives of the Community Garden will be presenting proposed rules and regulations.

Councilman Zinna

C. Zinna noted that he, C. LaMastra and the Mayor were at the Senior Center to discuss the concept of a community center. He advised that the seniors were strongly in favor of keeping the senior center at its current site. He added that Julie will evaluate the long term needs of the seniors in the next 5 to 10 years at the location.

Mayor Rustin

The Mayor advised that the Suburbanite ran the wrong date for the Planning Board's hearing on the Charlie Brown's building, which was reported as the 28th. He noted that the correct date for the hearing is the 14th.

The Korean Association of Northern New Jersey held their Thanksgiving celebration at Overpeck Park.

Councilman LaMastra

C. LaMastra stated that the Senior Citizens Committee met and discussed issues regarding the van, shoveling and the generator for shelter.

Councilman Basch

The Board of Health held the flu clinic on September 21st. He stated that 90 out of the 140 doses of the high dose vaccine were issued. C. Basch stated that at 156 E. Clinton Avenue there is an abandoned house, which he noted becomes a depository for decaying tree limbs, rodents and stray animals. He advised that the Health Inspector will evaluate the property and

determine how to condemn or force the building owner to clean up the property.

Mayor Rustin

Mayor Rustin inquired as to whether there are any volunteers to attend the October, November and December Board of Adjustment Meetings. C. Stefanowicz stated that he would attend the meetings.

OLD BUSINESS

None

NEW BUSINESS:

Introduction of Ordinance

C. Park moved that the following ordinances be introduced and passed on first reading and set October 13, 2015 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 Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Zinna:

The Borough Clerk read into the record:

ORDINANCE NO. 15-15 – AN ORDINANCE TO AMEND THE SALARY, WAGE OR COMPENSATION OF THE RANK OF POLICE OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, FOR THE CALENDAR YEARS 2013, 2014 AND 2015.

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

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

MAYOR'S REMARKS

None.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 15-342.

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. Litigation/Attorney-Client Privilege
 - 1. Latz v. Borough of Tenafly

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 9:08 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Park, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:56 p.m.

Respectfully submitted,

Lissette Aportela,
MPA, RMC, CMC
Borough Clerk