

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, OCTOBER 27, 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 9:07 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 October 13, 2015 Regular Meeting are approved.

REVISIONS TO AGENDA:
None.

PRESENTATIONS

Emergency Shelters by the Tenafly Office of Emergency Management

C. Barzelatto stated that Tenafly is very lucky to have personnel committed to ensure the wellbeing of Tenafly residents in the event of a disaster, fire, hazmat incident or weapons of mass destruction. He noted that the Deputy OEM coordinator Captain DeMoncada recently obtained his CEM Certification. He noted that he will complete his CEM Certification next spring. He stated that OEM needs to update and revise the emergency action plan, look at the CERT team process, shelter teams, create more interaction with stakeholders and enhance public education with residents. He also advised that quarterly meetings of the emergency operations committee will take effect in 2016.

C. Barzelatto informed that Red Cross inspected the McCandless Room and the Senior Center as viable shelters. He noted that the needs involved in having a shelter were discussed. He advised that the Red Cross annually survey shelters. C. Barzelatto added that they surveyed Mt. Carmel, the Lubavitch, the JCC and the Presbyterian Church. He noted that the Red Cross has written agreements with those locations to be viable shelter locations.

He advised that in the event of an emergency declaration an agreement would be in place with the Red Cross. He noted that OEM would make a call to advise the Red Cross of Tenafly's needs. C. Barzelatto stated that the Red Cross is required to respond within 2 hours. He informed that a shelter is a temporary facility to provide a secure location. C. Barzelatto stated that the Red Cross will provide essentials, such as beds, cots, clothing and health and mental support as needed. He advised that no outside bedding, food or clothing will be accepted.

He noted that recommendations provided by the Tenafly OEM state that the McCandless Room and the Senior Center only be used as a warming center and not overnight stays. He stated that the OEM have purchased 25 cots and bedding for the first responders. C. Barzelatto advised that the OEM have also purchased a tent and generator, which will be used as a charging area for phones. He added that they are looking to have staff and volunteers to help transfer residents to county facilities.

C. Barzelatto advised that the OEM will look into establishing a CERT team as well as a shelter team to be able to have help in the event of a warming facility is needed. He stated that the OEM will meet with the Red Cross again in early 2016 to do an evaluation of all the

shelters. C. Barzelatto informed that generators will be supplied for the Senior Center as well as the McCandless Room. He noted that that the Lubavitch has a generator.

He explained that if a local isolated incident occurs, Red Cross will come in and establish shelters. He advised that it would strictly be a holding area, until the Red Cross finds locations for the individuals to go to. The Mayor questioned if Red Cross has the ability to service 50 towns at once, if needed. C. Barzelatto stated that they have enough food and equipment as they are getting it from other entities. He noted that the OEM is looking into begin early next year to conduct an outreach for a shelter team to obtain certification from the Red Cross.

PUBLIC COMMENTS

Rita Heller – Marcotte Lane – stated that she is hopeful after hearing an update that Mr. Perez and another unknown individual working to purchase 53 Knickerbocker Road and will honor to designate the mansion as historic. She noted that Mr. Perez has previously restored historic homes. Ms. Heller stated that she inquired about the matter of bonding, in terms of cost benefit, which she advised, should be explored. She stated that she would like to emphasize that obtaining Open Space grant money was not addressed. She added that the 6.9 acres on 53 Knickerbocker are a treasure. She noted that she does not want the Borough to damage its bond rating, but she stated that she is glad other avenues are being explored. Ms. Heller highlighted an article in the Northern Valley Press regarding the Mackay family.

Ernest Kollitides – 164 E. Clinton Avenue – stated he feels the driveway issue is being handled as though he is presumed guilty and has to prove his innocence. He added that his driveway was not changed in anyway. Mr. Kollitides stated that he does not understand why he needs to get a permit. He further added that the interpretation the Building Department is giving to the ordinance is wrong. He informed that he would appreciate a note rescinding the violation.

Hercules Invictus – 3 Columbus Drive – advised that the Environmental Commission would like to meet with the HPC and Open Space to clarify a lot of issues. He inquired as to the protocol to meet with the committees. The Mayor stated that one or two individuals from the committees would be able to meet; otherwise if the meeting contains more individuals, it would be a quorum, which the Borough Clerk needs to be notified.

Randy Parmer – 54 Oak Avenue – noted that he read in the paper that the town is considering seeking to obtain a bronze statue of Elizabeth Cady Stanton. He inquired if the placement of the statue had been decided. The Mayor advised him to speak with the HPC and advised that there are no finalized plans. Mr. Parmer questioned whether the monument for Sgt. Oresko has been finalized. The Mayor stated that the intent is for the location to be finalized; however the Borough is waiting for additional details. Mr. Parmer stated that he is afraid if the monument were placed across the street from the post office, the Borough will lose the last area of open space. He urged the Council to place the monument in Huyler Park, which he added has always been a memorial park. The Mayor stated that the Borough is still waiting on preliminary plans, however once plans are finalized for the oval, there will be a public hearing. Mayor added that the oval area needs some sprucing up. C. Barzelatto stated that Tenafly is extremely honored of having Sgt. Oresko as a resident. He added that the thought was to name the oval after him, which he added, would be hopeful that would ensure that the area stays clean.

CONSENT AGENDA

#R15-362/Approve Expenditures as of October 21, 2015

#R15-363/Approve Change Order #1 – 2013 Road Resurfacing

#R15-364/Authorize Purchase of 2015 Dodge Charger Under State Bid Contract #A88729

#R15-365/Authorize Removal of Excess Compost from the Recycling Facility

#R15-366/Authorize Refund – Street Opening Permit – 236 Hudson Avenue

#R15-367/Authorize Refund – Overpayment of Taxes - Tax Court Judgment – Block 602, Lot 1

#R15-368/Authorize Refund – Overpayment of Taxes - Tax Court Judgment – Block 1309, Lot 1.01

#R15-369/Authorize Refund – Overpayment of Taxes - Tax Court Judgment – Block 1601, Lot 34

#R15-370/Authorize Refund – Engineering Escrow – 62 George Street

#R15-371/Approve Transfer of Tree Mitigation Escrow to Shade Tree Trust Fund – 34 Lindley Avenue

#R15-372/Authorize Refund – Tree Mitigation Escrow – 17 Oak Avenue

#R15-373/Authorize Refund – Tree Mitigation Escrow – 140 Deerfield Drive

#R15-374/Authorize Refund – Tree Mitigation Escrow – 14 Brook Road

#R15-375/Authorize Refund – Tree Mitigation Escrow – 46 DeMott Street

- #R15-376/Authorize Refund – Tree Mitigation Escrow – 58 Dean Drive
- #R15-377/Authorize Refund – Tree Mitigation Escrow – 15 Howard Park Drive
- #R15-378/Authorize Refund – Tree Mitigation Escrow – 46 Sussex Road
- #R15-379/Authorize Refund – Tree Mitigation Escrow – 472 Knickerbocker Road
- #R15-380/Authorize Refund – Overpayment of Taxes - Tax Court Judgment – Block 2603, Lot 21
- #R15-381/Authorize Renewal of Plenary Retail Consumption License – New Hong Bo Suk Restaurant, Inc. – Pursuant to Special Ruling by the Executive Director of the Division of Alcoholic Beverage Control – 2015-2016 Term
- #R15-382/Authorize Refunds – Recreation Department – Fingerprint Reimbursement
- #R15-383/Authorize Refunds – Recreation Department – Various
- #R15-384/Approve Additional Engineering Services –Engineering and Construction Administration for Various Culvert Repairs
- #R15-385/Approve Additional Engineering Services – Construction Administration and Inspection Services Related to the Tenafly Road Improvements (Section 4) Project
- #R15-386/Authorize the Submission of the 2015 Housing Element and Fair Share Plan to the Court for Review and a Judgment of Compliance and Repose
- #R15-387/Authorize Waters, McPherson, McNeill, PC to Serve as Bond Counsel through Remaining Term of the January 3, 2015 Contract with Kraft & Capizzi, LLC

Motion by C. LaMastra, second by C. Zinna 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 (abstain #R15-371) |
| C. Basch: | aye (nay #R15-381) | C. Stefanowicz: | aye |
| C. LaMastra: | aye | C. Zinna: | aye |

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

PUBLIC HEARINGS

- ORDINANCE 15-16

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on October 13, 2015, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 15-16 – AN ORDINANCE TO ADOPT THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE IN THE BOROUGH OF TENAFLY, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Public Comments on Ordinance 15-16

No one came forward

Motion by C. Stefanowicz, second by C. Zinna that Ordinance 15-16 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 15-16 was recorded as follows:

| | | | |
|----------------|-----|-----------------|-----|
| C. Barzelatto: | nay | C. Park: | nay |
| C. Basch: | nay | C. Stefanowicz: | aye |
| C. LaMastra: | nay | C. Zinna: | aye |

COMMITTEE REPORTS:

Councilman Park

The TNC met regarding the pond. He stated that before moving forward, 3 business plans will be prepared ranging in levels of difficulty based on the soil contaminants.

The Tenafly CAP met and discussed their new Facebook page and will focus on social media.

Councilman Barzelatto

Jay Murphy, an exempt member of the Fire Department, passed away last week. He noted that he joined in the early 80's and provided 15-20 years of service.

Mayor Rustin

The street fair was held this past weekend. The Mayor stated that he was pleased by the mix of vendors. Mayor Rustin noted that the high school boys' soccer team has reached the finals in the tournament. He added that the last time they reached the finals was 20 years ago.

Councilwoman LaMastra

The BID met on the 19th. She added that the consensus was to dissolve the corporation and earmark the funds.

The Chamber of Commerce will hold their annual dinner dance on January 13th from 6:30-9:00p.m.

The Recreation Board met and provided updates on various sports programs and summer camp. She stated that they also discussed fall programs and preparing for the Valentine's dance. She noted that Recreation will hold a gingerbread house workshop on December 5th. C. LaMastra informed that this past weekend was the Halloween Parade. The visit with Santa will be held on December 16th.

TVAC met and she stated that 30+ individuals attend their monthly meetings, which she added is a testament to the leadership.

NEW BUSINESS:

C. Zinna stated that the Code Red call went out this morning regarding the new voting districts. The Borough Clerk stated that the call was borough-wide; however the district change only affects districts 5, 6, 8, and 9 through 12. The Borough Clerk advised residents to hold on to their sample ballot to get their polling location. She informed that her phone line will be open from 5:00 a.m. until 8:00 p.m. on Election Day. The Mayor stated that there needs to be strong signage for Election Day so residents are aware of where to vote. The Borough Clerk advised that she could email the principals for the schools to put up signage. C. LaMastra questioned whether there was any consideration in keeping the entire Stillman district together. The Borough Clerk stated that in order to change a polling location, there needs to be another location within 1,000 feet; however, she advised that there were no viable locations that met the strict statutory requirements set by the state. She added that the Bergen County Board of Elections and NJ Elections Division have the ultimate decision on where the polling places are located.

C. Barzelatto noted that in case of power outages due to tomorrow's storm, PSE&G recommends that every individual affected must call PSE&G directly so that they can track the area, not the Police Department.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 15-388.

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
 - 2. Latz v. Borough of Tenafly

- B. Personnel
 - 1. FMLA Requests – DPW

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 10:11 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Basch, second by C. Park, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:48 p.m.

Respectfully submitted,

Lisette Aportela,
MPA, RMC, CMC
Borough Clerk