

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

MONDAY, JULY 11, 2016

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

ABSENT: None

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

BE IT RESOLVED that the Minutes of the June 14, 2016 Work Session, June 14, 2016 Closed Session (not to be released), June 21, 2016 Regular Meeting, June 21, 2016 Closed Session (not to be released), June 28, 2016 Closed Session (not to be released), June 28, 2016 Work Session, June 28, 2016 Regular Meeting, and June 28, 2016 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:

There were no revisions to the agenda.

The Mayor apologized to those who attended based on an article in the Suburbanite regarding the community center. He stated that it was a topic not on the agenda.

PUBLIC COMMENTS

Johanne Gambrill – Ravine Road – questioned C. Zinna on whether he had told the reporter that there would be a discussion tonight on the community center. C. Zinna explained that he provided updates in committee reports, however he added that he did not tell the reporter that it would be on tonight's meeting. Ms. Gambrill inquired as to whether the Chamber of Commerce makes money from the street fairs. She emphasized that businesses are hurting. Ms. Gambrill added that she knows a lot of businesses lose money because of the street fair. She commented that the idea of street fairs have gone past their time.

Alana Wartofsky – Highwood Avenue – advised that despite police findings, it is unpleasant every Sunday. She informed that her house is on corner of Highwood and Magnolia and her driveway is on Magnolia. Ms. Wartofsky added that she had been to the Church 10 times to ask them to move their cars. She stated that she has communicated with the Church regarding the level of congestion. Ms. Wartofsky voiced her concern that she is unable to get out of driveway. She added that she was informed that the Church leases to a congregation that comes to use the facility in the afternoon as well as a parking lot used by Tenafly Honda. Ms. Wartofsky questioned why the Church cannot end their lease with Tenafly Honda.

Charles Cobb – Councilman at large in Englewood & Wayne Haimer – Council President noted that they came to the meeting because they were interested in the community center discussion based on article in the paper.

Ira Belenson – stated that it is an untenable situation on Magnolia Avenue. He noted that he lives down by the curve. Mr. Belenson commented that the squad cars drive through the area during the quiet time, when there was no unusual activity. He informed that the level of congestion is a matter of timing. Mr. Belenson added that he is concerned about having children play in the area. He noted that there is no place to have company over to park in the afternoon.

Maria Minkos – concurs with her neighbors. She advised that she is concerned with the safety of the children. She added that she is not concerned with the usage of the Church, however she voiced her concern over the potential for an accident to take place before the issue is resolved.

Annamarie Reardon – 78 Magnolia Avenue – commented that the street may be navigable; however she has to try getting out of her driveway. She stated that it is a nerve wracking experience. Ms. Reardon added that it is dangerous because she cannot see cross street traffic. Ms. Reardon explained that people are parking at the very edge of the corner.

Ann Kelly – advised that she will bring the issue to the board at the Church. She noted that the congregants are down 50-60. Ms. Kelly noted that the Board of Trustees is very responsive. Mayor Rustin reiterated that it's the size of the crowds that come later in the day, which cause an issue. The Mayor informed that he will speak to Rev. Lindner. He recommended that residents also contact the Church, while Police review safety standards and the ability for residents to get out of their driveway.

Mark Feldman – 133 Lylewood Drive – noted that there needs to be a rationale for the public to evaluate and determine whether to continue with the open space tax. He added that there is no list of properties identified for acquisition. Mr. Feldman stated that only 1/3 of towns in Bergen County have an open space tax. He explained that when there is an affluent community that has a high credit rating, the community can borrow for the project. Mr. Feldman emphasized that taxing in advance is penalizing current tax payers on the chance for a future project. He noted that 8 of the 24 towns that have an open space tax, charge ½ of a tax point.

Emmanuel Nomikos – 73 Magnolia Avenue – agreed with neighbors on the parking issue. He stated that the street becomes a one lane, two way street. He urged the Council to consider the situation in the winter when there is black ice, which could result in a head on collision.

Rick Wakefield – voiced his concern over the parking matter. He advised that he has called the police. He stated that the Church also rents out for trade workshops. Mr. Wakefield added that the police should monitor the area for 12 hours a day, the whole weekend.

CONSENT AGENDA

#R16-257/Approve Expenditures as of July 6, 2016

#R16-258/Authorize Submission of Binding Referendum – Municipal Open Space Tax

#R16-259/Certify 2015 Audit

#R16-260/Approve Appointment of Junior Football Recreation Coach – 2016 Season

#R16-261/Authorize Refund – Board of Adjustment Escrow – 123 Dean Drive

#R16-262/Authorize Refund – Overpayment of Taxes - Block 1702, Lot 10

#R16-263/Recognize 50th Anniversary of Bergen Volunteer Center

#R16-264/Approve Raffle Application – RA1139

#R16-265/Authorize Redemption of Tax Title Lien – TTL 13-3

#R16-266/ Authorize Execution of Tax Form 990 and Audit Management Representation Letter

#R16-267/Authorize Receipt of Bids – Demolition and Restoration of the Building Located at 5 South Summit Street

#R16-268/Authorize Receipt of Bids – 2016 Road Paving Program for the Borough of Tenafly

#R16-269/Authorize Additional Engineering Services – Tax Map Update

#R16-270/Authorize Refunds – Recreation Department – Various

#R16-271/Authorize Additional Engineering Services – ADA Accessible Walkway at Davis-Johnson Park

#R16-272/Authorize Additional Engineering Services – Culvert Repairs

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. Basch: aye

C. Haider: aye

C. Park: aye

C. Stefanowicz: aye

C. Zinna: aye

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

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

C. Barzelatto:	aye	C. Park:	aye
C. Basch:	aye	C. Stefanowicz:	aye
C. Haider:	aye	C. Zinna:	aye

C. Barzelatto stated that the Junior Firefighter program has become a huge success for Tenafly. He added that 2 individuals in the program recently became firemen at the age of 18.

The Borough Attorney advised that the statute allows minors as young as 14 to participate in the auxiliary program, however he added that ages 14 to 16 have restrictions.

C. Barzelatto urged the Governing Body to find a way to revitalize the downtown. Mayor Rustin stated that some situations are well out of the Governing Body's control. He stated that there are a number of people that have shown an interest in developing downtown Tenafly. He stated that the individuals would come before the Governing Body and the Planning Board. He added that he hopes that the individuals are met with enthusiasm and encouragement. C. Zinna recommended that the Borough have a planner come in and make recommendations for revitalizing the downtown. Mayor Rustin commented that the Borough spent \$28,000.00 on consultants, who came up with a plan that was turned down. C. Zinna stated that 90% of the reason that it was turned down was due to traffic issues. C. Basch stated that the problem is that the landlords are not addressing their vacancies. C. Haider agreed that part of the problem is with the landlords. Mayor Rustin remarked considering an ordinance regarding vacant properties and C. Stefanowicz noted there is a precedent for such legislation.

C. Basch recommended that something be done to clean up Pfister's Pond in the Nature Center. C. Park will ask the Nature Center to provide updates on the pond.

MAYOR'S REMARKS

Mayor Rustin stated that the Borough has spent money for open space for acquisition on Hudson Avenue, which he stated was criticized. He stated that the town was also criticized for using open space money to renovate Geissinger Field as well as the walking track. Mayor Rustin advised that when open space tax was originally designed, the governing body added the recreation component to give it a chance for passage, so the trust fund would be established. He advised that the Borough can always bond; however when borrowing, the town would need to pay interest. Mayor Rustin commented that taxes are for the good of the community. He assured that before any money is spent, there is a public hearing before the governing body, who makes the final decision. Mayor Rustin added that accumulating the money serves the town well. He further added that having the money on hand is a lot easier and cheaper than to bond for it, which could take six months. Mayor Rustin stated that he hopes the referendum passes in November. He informed that making a list of properties doesn't make sense because it is not known what is going to become available.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 16-273.

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. Finance Department
 - 2. Senior Center
- B. Attorney-Client Privilege
 - 1. Update on COAH Litigation
 - 2. Tenakill Swim Club Lease
- C. Collective Bargaining
 - 1. Contract Negotiations Update

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. Haider, and all present voting in favor, the meeting was adjourned to the Closed Session at 8:52 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. Stefanowicz, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:52 p.m.

Respectfully submitted,
Lissette Aportela,
MPA, RMC, CMC
Borough Clerk