

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, SEPTEMBER 13, 2016

PRESENT: Mayor Peter 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 7:56 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 News and posted on the bulletin board in the lobby of the Municipal Center."

The Salute to the Flag was led by Mayor Peter Rustin.

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

BE IT RESOLVED that the Minutes of the August 15, 2016 Closed Session (not to be released), August 15, 2016 Work Session and August 15, 2016 Closed Session (not to be released) are approved.

REVISIONS TO THE AGENDA:

There were no revisions to the agenda.

AUDIENCE REMARKS FOR AGENDA ITEMS:

Jon Warms – Walnut Drive – stated that last night's Community Night was an outstanding success. He advised that the Environmental Commission feels strongly that helium filled balloons are deleterious to the environment. Mr. Warms added that it is inappropriate for them to be used at Borough events. He suggested that as part of granting permission for a special event application, Council require that the balloons not be filled with helium. Mayor Rustin remarked that the topic can be discussed at a future work session to determine if Council would like to move forward with this policy. Mrs. Thompson-Chin noted that Mr. Warms submitted an article for the newsletter to raise awareness about the issue.

Fran Bash – 230 Highwood Avenue – voiced her concern over the street fairs. She stated that she is not in favor of street fairs. Ms. Bash explained that it brings an unsavory group of people to the area. She added that there is no way to vet street fair participants and know who is coming into town. She commented that street fairs are better left to larger towns, unless it makes substantial money to reduce the taxes.

Christine Evron – 39 Leroy Street – Chamber of Commerce President – stated that many Chambers are bringing back street fairs because it increases sales and gains exposure for new potential clients. She proposed having a double row of vendors. She noted that the street fair would not be directly in front of anyone. Mayor Rustin explained that while the event will decrease in size, it would not decrease the amount of people going to the street fair. Ms. Evron referenced 11 letters from merchants that she was able to obtain.

Carrie Goldstein – represented Max's Italian Grill on 39 Highwood Avenue – thanked the Council and praised C. Barzelatto for supporting the business's concerns over the street fair. She stated that she believes every business wants more customers and to establish a more vibrant business area. She added that having a fair would be good; however, she advised not to give up one customer to gain another. She emphasized that the street fair should not close off business for regular clientele. Ms. Goldstein suggested that everyone work together to achieve an area, which will work as a solution.

Anna Marie Fanelli - 23A Washington Street – Co-owner of Floor & Decor – advised that she signed a petition in 2008 for merchants that did not want a street fair. She explained that street fairs are demoralizing to some businesses. She noted that the Chamber of Commerce

makes \$3200 from the fair. She stated that it is possible that Tenaflly has outgrown street fairs, due to the convenience of online shopping. Ms. Fanelli urged the Governing Body to think of another way to generate \$3200 with less disruption.

Johanne Gambrell – Ravine Road – informed that a business owner told her that the street fairs have caused losses of tens of thousands of dollars. She noted that the business owner stated that they are willing to pay \$3000 to the Chamber to stop the street fairs. She provided a letter on behalf of Tenaflly Camera. She recommended that the Governing Body move toward eliminating street fairs.

Hercules Invictus – 3 Columbus Drive – commented that the street fair is a celebration of Tenaflly and an opportunity to interact socially.

CONSENT AGENDA:

- #R16-299/Approve Expenditures as of September 7, 2016
- #R16-300/Authorize Tree Mitigation Escrow Refund – 11 Clark Place
- #R16-301/Authorize Tree Mitigation Escrow Refund – 2 Dogwood Lane
- #R16-302/Authorize Tree Mitigation Escrow Refund – 79 Oak Avenue
- #R16-303/Authorize Tree Mitigation Escrow Refund – 8 Forest Road
- #R16-304/Authorize Tree Mitigation Escrow Refund and Forfeit to the Tree Replacement Trust Fund – 19 Coppell Drive
- #R16-305/Authorize Refund – Overpayment of Taxes – Corelogic
- #R16-306/Authorize Refund – Overpayment of Taxes – Block 403, Lot 9
- #R16-307/Authorize Refund – Tax Court Judgment – Block 1505, Lot 5
- #R16-308/Petition the Port Authority of New York-New Jersey to Install an Anti-Suicide Fence along the Pedestrian Walkway on the George Washington Bridge
- #R16-309/Authorize Refunds – Recreation Department – Fingerprint Reimbursements
- #R16-310/Authorize Refunds – Recreation Department - Various
- #R16-311/Amend Contract – Tenaflly DPW Administration Building Project – Arcari & Iovino Architects, P.C.
- #R16-312/Extend Contract – Tenaflly DPW Administration Building Project – Dedicated Project Services
- #R16-313/ Extend Contract – Tenaflly DPW Administration Building Project – LMN Contracting
- #R16-314/Execute Collective Bargaining Agreement – Tenaflly Administrative Employees Bargaining Unit
- #R16-315/Execute Collective Bargaining Agreement – OPEIU Local 32

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. Haider:	aye	C. Zinna:	aye

COMMITTEE REPORTS:
Councilman Stefanowicz

The HPC held their meeting last Thursday. He noted that they moved to resubmit 19 Peter Lynas Court for historic designation.

C. Stefanowicz advised that the Welcome Committee new resident meet and greet was successful. He noted that local businesses contributed items that went into the goody bag.

Mayor Rustin mentioned that 19 Peter Lynas Court is also going before the Planning Board again.

C. Basch stated that the Welcome Committee's new resident event was very well organized.

Councilwoman Haider

The Zoning Board meeting will be held next week.

Mayor Rustin

Mayor Rustin attended the Mayor's breakfast. He informed that County Executive James Tedesco spoke at the breakfast and advised that the Open Space Trust Fund deadline for submitting the grant will be at the end of October. He stated that they

are looking for more acquisition projects. He added that recreation projects will be under a little more scrutiny. Mayor Rustin advised that a representative from the State was in attendance for the Mayor's Wellness campaign. The Mayor stated that she is looking to establish a County task force.

Councilmember Park

The Nature Center will look into options to fix the pond. He stated that they met with the Bergen County Parks Department Director.

The CAP was awarded a grant and C. Park noted that they will discuss projects to implement with the grant award.

The Community Garden is up and running.

Councilmember Barzelatto

The Tenafly Fire Department will be celebrating 125 years. He informed that they will have a parade to celebrate the anniversary, which he added, will be part of the Northern Valley Chiefs' parade. The parade will take place Sunday, October 9th.

OLD BUSINESS:

Tenafly Street Fair

C. Stefanowicz stated that a permit has already been issued for the street fair for this October. He advised to solicit more input from residents on whether to continue having street fairs in the future. C. Basch commented that the Chamber of Commerce should be allowed to pick the best solution since a permit was already granted. He added that it should be reevaluated on how to proceed for the future. C. Haider advised that the street fair should proceed, however the Governing Body should reassess after this year's event.

Mayor Rustin informed that he has met with 6 business owners, who were opposed to the street fair. He pointed out that none of the business owners were members of the Chamber of Commerce. The Mayor stressed that the businesses need to be member of the Chamber of Commerce to voice their opinions. He added that the street fair will be held this year and it will be analyzed by the Governing Body as to the future of the event. Mayor Rustin stated that he appreciates all of the work that the Chamber of Commerce does, but he added the street fairs decision rests with the Governing Body.

C. Barzelatto noted that the reason for the BID was created to improve downtown Tenafly. He urged the Council to support the store owners' more than the street fair vendors. C. Barzelatto stressed that he is opposed to having a street fair if it will hurt the businesses. C. Zinna stated that the decision to allow the permit for the street fair was granted and must be abided by. He commented that in the future, there needs to be consideration in terms of the location of the street fair, so it does not affect businesses.

Mayor Rustin confirmed the location of the street fair, which he stated will take place past Café Angelique. He noted the Piermont Road will be blocked off and advised that Café Angelique will not have access to the parking spaces in front or across from their place.

NEW BUSINESS:

Introduction of Ordinances

C. Zinna moved that the following ordinances be introduced and passed on first reading and set September 27, 2016 at 8:30 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 ordinances. Seconded by C. Haider:

The Borough Clerk read into the record:

ORDINANCE NO. 16-14 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC" IN ORDER TO DESIGNATE ONE-WAY STREETS.

ORDINANCE NO. 16-15 - AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE TENAFLY ADMINISTRATIVE EMPLOYEES BARGAINING UNIT FOR THE CALENDAR YEARS 2017, 2018, AND 2019

ORDINANCE NO. 16-16 - AN ORDINANCE TO FIX THE SALARY, WAGE, OR COMPENSATION OF CERTAIN SUPERVISORY AND ADMINISTRATIVE EMPLOYEES OF THE BOROUGH OF TENAFLY REPRESENTED BY OPEIU LOCAL 32, FOR THE CALENDAR YEARS 2017, 2018 AND 2019.

ORDINANCE NO. 16-17 - AN ORDINANCE TO FIX THE SALARY, WAGE, OR COMPENSATION OF CERTAIN MANAGEMENT, ADMINISTRATIVE, CIVILIAN DISPATCHERS, AND PART TIME EMPLOYEES OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, FOR THE CALENDAR YEARS 2017, 2018 & 2019.

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

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

Jon Warms – Walnut Drive – advised that the oval is more of a crescent and noted the proper name of Sgt. Oresko Memorial Park.

MAYOR'S REMARKS:

Mayor Rustin stated that there is a process for items that are correspondence. He emphasized that the process is to give correspondence to the Borough Clerk the Thursday prior to a meeting. He thanked everyone for their comments and noted that it is important to hear everyone's opinion.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 16-316.

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. Collective Bargaining
 - 1. Contract Negotiations Update
- B. Attorney/Client Privilege
 - 1. Zoning Complaint – Block 1401, Lots 3 and 4

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. Barzelatto, and all present voting in favor, the meeting was adjourned to the Closed Session at 8:45 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. Basch, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:33p.m.

Respectfully submitted,

Lissette Aportela,
MPA, RMC, CMC
Borough Clerk