

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, JANUARY 8, 2013

At 7:32 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. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the lobby of the Municipal Center, and published in the Record within the first 10 days of the New Year. Notice of this meeting by the December 17, 2012 Sunshine Notice has been sent to the Record, the Suburbanite, and Northern Valley Press and has been posted on the public bulletin board in the lobby of the Municipal Center."

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Barry Honig, Martha Kerge, Nadia LaMastra, Jon Warms, Mark Zinna

Borough Administrator: Jewel Thompson-Chin
Borough Attorney: William R. McClure, Esq.

Absent: None.

PRESENTATIONS

Candidates recommended for BID, Class B Director

Mayor Rustin highlighted that Council appoints 2 members to the BID and the appointments were tabled from the Reorganization Meeting at the request of C. Kerge so that Council can meet with the recommended candidates.

Stephanie Pasternak described her involvement in the Borough and her experience in commercial real estate. She explained that the BID needs to get residents and neighboring communities to support the merchants, to put a plan into place to address vacancies and to improve communication between landlords and tenants.

Khalid Mansoor advised that he is owner of Healthway Natural Foods, is active in the Chamber of Commerce, and also lives in the Borough. He has a MBA in Marketing and Strategy. He explained that even though the economy is tough, businesses need to apply the right marketing strategies and bring businesses that meet the community's needs.

CORRESPONDENCE

Mayor Rustin noted that the owners of Europe Café and Grill were in the audience so their letter was being addressed at this time.

Ersin Iscan advised that he needs a wind screen and that their proposal would leave 7 feet of the sidewalk. He was advised by the Code Enforcement Officer to seek permission from Council. C. Honig wished Mr. Iscan success with restaurant but expressed concern about encroachment into the right of way from a safety and ADA perspective.

Mr. Iscan was directed to submit a permit application with the Building Department to formally begin the process. Mayor Rustin advised that the Borough will work with Mr. Iscan on this matter.

PUBLIC COMMENT:

Mayor Rustin read the following statement:

Public Comments: A total of 15 minutes has been allocated for this purpose. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda below. Citizens must give their names and addresses when recognized to speak. Large groups are urged to select someone to represent them. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Johanna Gambrill – Ravine Road – commented that she was disturbed with lack of competence in the BID, the mailing of the BID directory, and the lack of accountability of the Director.

C. LaMastra explained that the BID directory was published by the Northern Valley Suburbanite. The BID received an apology letter that from the Suburbanite indicated they dropped it off at the Post Office but the directories were never delivered. The Suburbanite will print another 5,000 directories to distribute.

Silvia Meyerson – Kent Road – inquired if notice of the Nature Center lease ordinance was published.

The Borough Clerk advised that the publication requirements were met in accordance to state law, and the full ordinance was posted on the bulletin board and website the day after it was introduced.

David Simpson – 12 Woodland Park Drive – stated that ill will has been created and that opponents of the Nature Center’s new building are being misrepresented. He commented that the terms of the lease will leave all kinds of latitude that shouldn’t be there and that the language is ripe for litigation.

Edith Kornfeld – Highwood Avenue – expressed her belief that there should be referendum on the Nature Center’s proposed education building.

Mayor Rustin noted that what he finds frustrating is that people mention that there are no plans made public. Council has not seen the plans yet because they still have to be drafted and presented. He does not understand why there is opposition when plans have not been drafted. When the time comes, Council will consider holding a special hearing due to the public interest in this matter.

TO BE CONSIDERED

9-11 Memorial

C. Barzelatto noted that since the Borough was gifted with piece of a 9/11 beam the Fire Department is seeking to incorporate it their memorial.

Fire Inspector Connolly explained that the responsibility of rebuilding of the memorial is the Borough’s because the ring that was located in front of the Police Department was removed due to construction. The ring and bell were purchased and installed initially with funds from the Fire Department and donations. The Fire Department is seeking to have construction completed by Memorial Day. Mr. Connolly provided a cost estimate of \$22,000.

Council determined to have the discussion regarding the financing of the memorial listed for the February work session.

2013 Salary Ordinances

Mrs. Thompson-Chin explained that the salary ordinance for the non-representated employees doesn’t have a contract to back it up so it is the most detailed. The other 5 ordinances are based on the individual contract ratified in 2012 and include all of the key provisions and changes. The ordinances will be introduced on January 15th.

G. Nigro RE: Request for Referendum on Tenafly
Nature Center Educational Discovery
Center Proposal

Council reviewed Mr. Nigro's request and directed the Borough Clerk to advise that the Mayor and Council will not consider a referendum at the time until specific plans have been provided by the Tenafly Nature Center.

J. Paff RE: Loitering Code
Mr. McClure noted that NJ statutes have changed over time and he will review the Borough's loitering code. Council will discuss this matter at the February work session.

Europe Café & Grill RE: Seasonal Outdoor Wind Breaker
This item was addressed earlier in the meeting.

RESOLUTIONS for meeting of JANUARY 15, 2013:

- A. Approve Expenditures as of January 9, 2013
- B. Execute Agreement – Public Health Nursing Services with Health Awareness Regional Program (H.A.R.P.) of the Hackensack University Medical Center
- C. Execute Agreement – Public Health and Environmental Health Services with Mid-Bergen Regional Health Commission
- D. Execute Agreement – Animal Control Services with the Bergen County Animal Center
- E. Execute Agreement – Integrated Rat Control Program with Hudson Exterminating Company, Inc.
- F. Authorize Refund – Planning Board Trust Account PB#1-09-14 – Parlamis/Axia Taverna Restaurant
- G. Authorize Refund – Planning Board Trust Accounts PB#1-10-02 and PB#2-09-73 - Nguyen
- H. Authorize Refund – Planning Board Trust Accounts PB#1-10-12 and PB#2-10-29 - C Jon Construction Co., Inc.
- I. Authorize Refund – Planning Board Trust Account PB#1-12-12 – FOCUS
- J. Authorize Refund – Planning Board Trust Account PB#1-12-08 – Arp
- K. Grant Permission - Shelter Group – Submission of Sewer Extension Permit to NJ DEP
- L. Execute Agreement – 2013 Drug and Alcohol Testing Agreement with WorkPlace Connection of Valley Health Medical Group
- M. Execute Agreement - Employee Assistance Program (EAP), with the County of Bergen
- N. Confirm Submission of Grant Application – FEMA STEP Program
- O. Adopt Position Classification of Administrative Land Use and Housing Assistant

There were no comments on the resolutions.

At 9:31 p.m. Council recessed for a break. The meeting resumed at 9:41 p.m.

OLD BUSINESS

Update on 311 Tenafly Road/United Way/Affordable Housing Project
An update was addressed under the Administrator's Report.

Open Space Funding for Outdoor Exercise Equipment

C. Kerge noted that she was advised by some seniors that they do not believe the senior community will use this equipment. C. LaMastra advised that at a Senior Citizens Services Committee, many seniors expressed interest in the equipment. Mayor Rustin noted that the Recreation Department must promote usage of the equipment for all residents. Council requested that a floor plan be provided for further review.

C. LaMastra advised that many regard recreation brochure as programs for children only. Mrs. Thompson-Chin noted that a section of the next newsletter will emphasize that the recreation brochure has programming for various groups and that she will coordinate a meeting between Recreation, Senior Services, and Youth Services. Need diagram of oval with equipment – need floor plan.

Naming of Oval/Driveway

There was no consensus among Council to proceed with this issue at this time.

BID appointments

Council determined to list the resolution appointing Stephanie Pasternak and Khalid Mansoor to the BID on January 15th. Council discussed the recent BID election. While the ballots are the property of the BID, C. LaMastra will coordinate with the BID Director to return the ballots at Borough Hall so the Borough Clerk can count them and certify the results.

NEW BUSINESS

None.

FOR THE GOOD OF THE ORDER

Recognition of Military Deployment and Retirement of Employees

The recognition of retirees was addressed in the Administrator's Report. Council will honor Officer Matthew Savitsky at an upcoming public meeting with a proclamation prior to his deployment to Afghanistan.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-41.

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. Personnel
 - 1. Police Department Retirements

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 10:10 p.m.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Warms, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:58 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk