

# Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, APRIL 9, 2013

At 7:02 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 confirmed at the Annual Meeting, are posted on the public bulletin board in the lobby of the Municipal Center, published in the Record within the first 10 days of the New Year, and copies are sent to the Suburbanite and Northern Valley News. Notice of this meeting by Resolution #13-144 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 (arrived at 7:03 p.m.),  
Martha Kerge (arrived at 7:03 p.m.), Nadia LaMastra, Jon  
Warms, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: None

## **CLOSED SESSION**

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-154.

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

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 resume the Committee of the Whole meeting.

On a motion from C. LaMastra, seconded by C. Zinna, and all present voting in favor, the meeting was recessed to the Closed Session in the Committee Room at 7:03 p.m.

The Committee of the Whole Meeting resumed at 7:35 p.m.

## **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.

Johanne Gambrell – Ravine Road – remarked that it is difficult to read the signs for April 23<sup>rd</sup> special meeting with the Nature Center. Mayor Rustin responded that the size of the sign and the language incorporated in the notice is set by Green Acres. He advised that only one sign was required, which was to be at the proposed site at East Clinton Avenue and Kent Road, but that the governing body authorized that an additional sign be placed at the basketball courts. He commented that the Borough has gone above and beyond the notice requirements. Mrs. Aportela-Hernandez confirmed that in addition to the legal ad and display ad in the newspaper, the wording of the sign is also on the Borough website. C. Honig commented that he is comfortable that residents have been informed about the special meeting.

## **TO BE CONSIDERED**

### **Café Angelique Lease Renewal**

Mayor Rustin explained that the lease with Café Angelique at the train station had two 5-year options and the owner is exercising their second 5-year option. C. Barzelatto inquired if there was an increase in the rent paid to the Borough. Mr. McClure confirmed that there is an escalation in rent payments built into the lease. A resolution extending the lease will be listed for the April 16<sup>th</sup> consent agenda.

### **2012-13 Elected Officials Online Training**

Mayor Rustin encouraged the members of the governing body to do participate in the online training offered by the MEL and highlighted that the Borough receives a \$250 discount in the premium for every member of the governing body participates. Mrs. Thompson-Chin noted that the training must be completed by May 31<sup>st</sup> in order for the Borough to receive any credit.

### **Zana D Restaurant Encroachment Request**

Mr. Alberto Dutaj, Owner of Zana D, explained that since the property is on a slope, he is seeking to install impervious pavers for safety of patrons. He further described that the proposed wall is a temporary structure of interlocking blocks and the proposed evergreens will be in pots. Council authorized that a resolution authorizing the encroachment will be listed on the April 16<sup>th</sup> consent agenda provided Mr. Dutaj provides the required hold harmless and insurance certificate to the Borough Clerk.

## **ADMINISTRATOR'S REPORT**

- Mrs. Thompson-Chin noted that the owner of Café Angelique is up-to-date on its rent and consistently pays on time. At the conclusion of the second 5-year extension, the Borough would need to go out to bid on leasing property. She confirmed that the owner of Café Angelique is aware the requirement to to re-bid the lease.
- Mrs. Thompson-Chin reported that as of April 5<sup>th</sup>, the Borough sold two of the four vehicles listed for auction through GovDeals.com, which were a Ford Crown Victoria and BMW Motorcycle. The two remaining vehicles are small SUVs that belong to DPW. The sale continues through April 13<sup>th</sup>.
- Mrs. Thompson-Chin advised that she received comments regarding the 2012 annual Police Report, which included requests for charts that display annual trend and that the more serious crimes be highlighted. She passed the information on to Chief Chamberlain and will further review this matter when he returns from vacation.

## **CORRESPONDENCE**

M. Daglian

RE: Pedestrian Safety Outreach Program

Council directed the Borough Clerk to provide a copy of Ms. Daglian's letter to Chief Chamberlain for consideration. C. Honig commented that the lack of consideration of motorists is dangerous to pedestrians. C. Warms remarked that Fort Lee has obtained grants to conduct their enforcement campaign. Council requested that Chief Chamberlain also investigate grant opportunities for this program. Mayor Rustin commented that the next newsletter highlight yielding to pedestrians and hoped that as the manpower situation improves in the Police Department, they can stop the driving violations, especially those involving drivers using cellphones.

## **RESOLUTIONS** for meeting of April 16, 2013:

- A. Approve Expenditures as of April 10, 2013
- B. Authorize Tree Mitigation Escrow Refund – 149 Magnolia Avenue
- C. Authorize Tree Mitigation Escrow Refund – 156 Magnolia Avenue
- D. Authorize Tree Mitigation Escrow Refund – 137 Erledon Road
- E. Authorize Change Order #1 – Improvements to Roosevelt Tennis Courts project
- F. Support PSE&G's "Energy Strong" Program

There were no comments on the proposed resolutions.

## **OLD BUSINESS**

None.

**NEW BUSINESS**

- C. LaMastra reported that TVAC has purchased a Kubota emergency response vehicle and donated it for use to respond to emergencies in the municipality. This vehicle provides better access to respond to emergencies on fields and paths since it is able to get into tight spots where a traditional ambulance cannot maneuver.
- C. Kerge advised that at last night's Board of Adjustment meeting, BMW of Tenaflly had an application seeking an additional field for storing vehicles. They are greatly expanding and are seeking to stay in Tenaflly. She advised that a variance was granted for an optometry office and that when the new zoning ordinance is adopted on April 30<sup>th</sup>, a variance will no longer be required.

**ADJOURNMENT**

As there was no further business to come before the Council, on a motion by C. Kerge, second by C. Honig, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC  
Borough Clerk