

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, MAY 28, 2013

The meeting was called to order at 7:31 P.M. with the reading of the Open Public Meetings Act statement by Mayor Rustin, "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 Press. "

Present: Mayor Peter S. Rustin
Council members: Barry Honig, Martha Kerge, Nadia LaMastra,
Jon Warms, and Mark Zinna

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

Absent: Council member Anthony Barzelatto

TO BE CONSIDERED

Soccer Cage Update – Presentation by Jeff Toonkel

Mr. Toonkel explained that the engineering drawings have been reviewed with the Borough Engineer and that the DEP advised that this project does not need any further permission from the state on this project. Mr. Toonkel noted that Tenafly United Soccer Club is in the process of obtaining estimates for the lighting of the soccer cage, which are preliminarily quoted at \$35,000 for equipment and installation. There will be a 18' fence all the way around and 11 full parking spots will remain. C. LaMastra spoke of potential for greater foot traffic for local businesses. C. Honig inquired about the current usage of the lot. Mayor Rustin replied that the lot is usually half full, but the lot was closed for 2 years due to the Police Headquarters construction project. Mr. Toonkel commented that TUSC would like to move forward with bidding for the construction and lighting. C. LaMastra asked how the lighting would be finance. Mrs. Thompson-Chin stated that open space funds would be applicable for the lighting. Mayor Rustin requested that Mr. Toonkel provide the Borough with the recommended maintenance for the synthetic turf. Formal approval for TUSC to proceed will be discussed during the regular meeting later this evening.

Geissinger Field

Council reviewed the draft of proposed agreement with Board of Education for utilization of the Borough's open space funds in exchange to install artificial turf on Geissinger Field in exchange for first priority in using the field when not in use by the Board of Education. C. Honig commented that the details need to be further worked out by the Joint Use Committee since the idea of providing funds without formal guarantees and actual schedule is beyond inappropriate.

Mrs. Thompson-Chin informed Council that the Borough Engineer reviewed the potential of installing artificial turf at Sunnyside Park; however the park has a significant drainage problem which would entails raising the field and extending drainage system. For this type of project, there needs a true drainage study and an aerial study, which would be an expenditure raising \$2 million to \$4 million.

C. Zinna remarked that at the end of the day, the field is for the Tenafly students and that the only risk is scheduling, but the same children will use the field. C. Honig responded that the adults who play in adult leagues and pay the open space tax need to be considered. C. Kerge commented that the proposal would be more appealing if it were a true partnership splitting the cost 50/50. Mayor Rustin advised that the Board of Education has a reserve, but at their current rate, it would be another 2-3 years until they raise sufficient funds, which are not including lights.

C. LaMastra noted that the proposed agreement needs to be amended to specify that the Recreation Director is a member of the subcommittee. She advised that she is uncomfortable with allocating \$1 million of open space funds and that more concrete details are needed.

Council directed the Borough Administrator to schedule a Joint Use Meeting for early June to discuss the details on scheduling, to obtain a current cost estimate, and the lighting curfew. Members of the Joint Use Committee will then report back at the following Council meeting.

Resolution of Need to Obtain HMFA Construction Funding for 311 Tenafly Road

Mr. McClure stated that there is an opportunity for construction funding with the HMFA from the recently released CDBG Sandy relief funds and the purpose of the resolution is to solicit funding. C. Honig noted that if funding is coming back, why not bring back the discussion on creating a LLC. He requested that the resolution be pulled from the Consent Agenda and listed under New Business.

Mr. McClure commented that there is no agreement with disposition of property yet and he is currently reviewing the second draft. The agreement will follow the concept of deeding property with reversionary rights, construction financing through the United Way and a time table for completion of the project.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin reported that a possible meeting date of the Joint Use Committee is June 10th at 5pm so that both parties have an opportunity to meet and report back at their respective meetings on the 11th. In addition to Geissinger Field, the topics of discussion will include Wi-Fi and school resource officers.

The resurfacing of Tenafly Road and the installation of the lightning detection system will take place once the school year is over.

With regards to the seizure of COAH funds, the Appellate Division stayed the process Affordable housing. Therefore, there is no allowance for state to recoup the funds at this time.

In terms of the NJ Hazard Mitigation Grant Program, the state adjusted its priorities towards acquisition and elevation of properties and will not fund generators. We will look at placing generators for 2014 budget. Council requested that if there is money left from Police Headquarters project, that funds be reappropriated for a generator.

RESOLUTIONS for meeting of May 28, 2013:

- A. Authorize Cancellation of Checks – Municipal Court
- B. Adopt Bergen County Municipal Joint Insurance Fund Loss Control Program
- C. Authorize Refund Overpayment of Taxes – 86 Highwood Avenue
- D. Authorize Submission of Application to HMFA for Construction Funding – 311 Tenafly Road (pull)
- E. Approve Raffle Application RA1055
- F. Authorize Solicitation of Bids/Furnishing & Delivery of One (1) 2013 GMC Sierra 3500 HD or Equivalent for the Tenafly Ambulance Corps

As the time required Council to commence the Regular Meeting, on a motion by C. Warms second by C. LaMastra, and unanimously carried, the meeting was closed at 8:33 p.m. Council will resume reviewing the balance of items upon conclusion of the Regular Meeting.

The Mayor opened the meeting of the Committee of the Whole at 9:19 p.m.

CORRESPONDENCE

Michael Feldman RE: False Alarm Charge
Council determined not to approve the request to waive the false alarm charge. The Borough Clerk will advise the resident

R. Lu & R. Mermelstein RE: Paving of Esmond Place between
Sunset & Christie

Council directed the Borough Clerk to notify the residents that they need to gather a petition signed by all abutting home owners in the portion of the unpaved street. The petition needs

to identify the properties, property owners' names, and have an original signature. Upon receipt of the petition, the matter can be listed for a future agenda for the Borough Engineer to review.

A. Bergman RE: Block Party Request – 6/16/13
Council approved the block party request. The Borough Clerk will notify the resident.

M. Lev RE: Crosswalk Request
Council directed the Borough Clerk to forward the request to Chief Chamberlain for his recommendation and to advise resident of the status of the request.

FOR THE GOOD OF THE ORDER

Council discussed the possibility of Google providing free Wi-Fi throughout the Borough. Council authorized C. Honig to review the application process.

OLD BUSINESS

C. LaMastra mentioned that if Geissinger Field is turfed, it may impact the availability to use the track. She requested that this issue be reviewed during the Joint Use Meeting.

Mayor Rustin commented that he completed the Basic Risk Management for Local Government Officials Course and that the Borough receives a \$250 discount from the insurance premium for every member of the governing body that completes the course. Council requested that the Borough Clerk forward the information on the course.

Mrs. Aportela-Hernandez reminded Council that the 2013 Financial Disclosure Forms must be filed electronically by Friday, May 31st.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 13-207

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. Investigation of violation of the law
 - 1. Hearing for Liquor License Suspension
- B. Personnel
 - 1. FMLA Request – Recreation Department
- 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 work session.

There being no further business to come before the Council, on a motion from C. LaMastra, seconded by C. Honig, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:35 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, there was a motion by C. Honig, seconded by C. LaMastra, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk