

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, JULY 15, 2014

At 7:11 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."

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Maxim Basch, Nadia LaMastra, Daniel Park, 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 14-236.

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. Bid Results – Lease of 5 South Summit Avenue

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 7:12 p.m.

The Committee of the Whole Meeting resumed at 7:49 p.m.

TO BE CONSIDERED

Televising of Regular Council Meetings

Council discussed the televising of regular meetings in Council Chambers based on funding received from the Cablevision franchise agreement. Mayor Rustin noted that he will arrange having high school students to record the meetings as part of their community service requirements. C. LaMastra inquired if additional funding can be found to also televise work session meetings in the Wilson Room. Chief Financial Officer, Mr. Vinci confirmed that funds are available in the budget to supplement the Cablevision grant. C. Basch commented that the Planning Board and Board of Adjustment meetings should also be televised. Council authorized the procurement of the equipment and move forward.

School Resource Officer

Mrs. Thompson-Chin explained the outcome of the meeting she and Chief Chamberlain had with the Superintendent and Business Administrator on July 1st. After reviewing the potential scenarios, Council determined that they will only consider a \$40,000 contribution for the first school year, but that the Board of Education must pay for 50% of the total salary for the officer for the second and third year. The Borough Administrator was authorized to report this determination to the Board of Education and continue negotiations for a 3 year arrangement.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin advised that Mr. Iovinio and Mr. Hipolit will attend the August work session to provide an update on their LEED assessment for the DPW Building.

Mrs. Thompson-Chin reported that the Police accreditation is progressing well. The process is at the stage of internal approvals. A public hearing will be held in late September or early October to finalize the accreditation.

CORRESPONDENCE

P. Reisman RE: False Alarm Waiver

Mayor Rustin spoke with Chief Chamberlain about the issue surrounding the request. A duress alarm had been activated which is the equivalent to a panic button and alarm contacts police first. The alarm company then called resident, who advised the company it was a false alarm, but police had responded to the scene. Council denied the waiver request and directed the Borough Clerk to respond to the resident.

J. Tromboni RE: Request for POD

Council approved the request for a temporary storage container. The resident only needed the POD for 3 days, from July 29th to July 31st. The Borough Clerk will advise the resident.

M. Feldman/STGA Steering Committee RE: TNCA literature

This item will be discussed under For The Good of the Order

G. Nigro/STGA RE: OPRA Request for TNCA Hydrology Report

Ms. Aportela-Hernandez explained the Open Public Records Act process, how the Borough Clerk is the custodian of records, that the Borough does not have a comprehensive hydrology report, but the wetlands study which is commonly referred to as a hydrology report, which was provided to Mr. Nigro almost two years ago, and that the Borough cannot request an outside entity to create or provide a document to satisfy a records request under the statute. Council concurred.

G. Nigro/STGA RE: Expedite Request for TNCA Reports

Mr. McClure advised that the letter is requesting that the Borough utilize its position to ask for documents to be provided or produced. He explained that doing so sets a bad precedent. While it may be in the Nature Center's best interests to release documents, the Borough cannot compel or suggest that they do so. Council remarked that all documents associated with the proposed education building is posted on the Nature Center's website.

RESOLUTIONS for meeting of July 15, 2014:

- A. Approve Expenditures as of July 9, 2014
- B. Approve Outdoor Seating Application – Chez Cheese
- C. Authorize Refund – Overpayment of Taxes – Corelogic
- D. Authorize Refund – Overpayment of Taxes – Wells Fargo
- E. Authorize Refund – Overpayment of Taxes – Various
- F. Authorize Retroactive Tax Credit - 2013 Senior Citizen Deduction - Vollinger
- G. Execute Bergen County Open Space Trust Fund Project Contract - Griffin Park ADA & Park Improvements
- H. Authorize Refund – New Construction & Soil Moving Escrow – 10 Sussex Road
- I. Authorize Refund – New Construction & Soil Moving Escrow – 46 Glenwood Road
- J. Close Inactive Tenaflly Presents Trust Accounts
- K. Close Inactive Environmental Trust Account
- L. Close Inactive Security Deposit Trust Account
- M. Close Inactive Miller Memorial Trust Account
- N. Approve Raffle Application – RA 1088
- O. Authorize Refunds – 2012 Tax Court Judgment
- P. Redeem Tax Title Lien – TTL12-2
- Q. Redeem Tax Title Lien – TTL13-2
- R. Authorize Refund – Recreation Department – Various
- S. Authorize Refund – Youth Services Teen Summer Camp – Kosikov
- T. Authorize Refund – Youth Services Teen Summer Camp – Davis
- U. Award Contract – 4 Clean Up, Inc. – Tenaflly Road Section 3 Project
- V. Authorize Professional Engineering Services – Construction Administration Services – Tenaflly Road Section 3 Project
- W. Approve Change Order #1 – Municipal Complex Security Cameras Project

- X. Authorize Release of Maintenance Bond - 101 Piermont Road – Garber
- Y. Award Contract – Repair and Restoration of the Theodore Roosevelt Monument
- Z. Award Contract – Solid Waste Transfer Station Operator
- AA. Authorize Permission – Knickerbocker Country Club Fireworks Display
- BB. Approve Interlocal Contract for Cooperative Purchasing Contract with National Joint Powers Alliance (NJPA)
- CC. Authorize Return/Refund of Street Opening Bonds – Various
- DD. Award Contract – 2014 Road Resurfacing

PUBLIC HEARINGS @ 8:45PM: Authorize Submission of Green Acres Grant Application – Huyler Park Pavilion Project

Mrs. Thompson-Chin reported that the Borough was recently notified that it does not qualify for grant from Green Acres. Instead, the Borough is eligible only for low interest loan at 2%.

Chief Financial Officer, Mr. Vinci commented that 2% is no longer considered low interest. He remarked that at the recent note sale the interest was .49% and the Borough can borrow funds for less than that. He commented that open space funds are also applicable for this project. Mr. Vinci stated that it was not in the Borough’s best interest to borrow at that rate and should instead fund the project via the capital improvement program for 2015 should Council wish to move forward.

FOR THE GOOD OF THE ORDER

Resolutions regarding Tenafly Nature Center proposed Education Center (C. Basch)
 C. Basch requested a resolution confirming that the Mayor and Council as a body will not publicly take sides on the pending referendum. A draft resolution will be prepared for review at the next work session.

C. Barzelatto reported that there are empty newspaper boxes at the bus stops. Mrs. Thompson-Chin advised she will have DPW inspect the bus shelter areas.

C. Barzelatto advised that he received a letter from the state indicating that the Borough’s grant for generators has been reduced to \$100,000. Mrs. Thompson-Chin indicated that there is money in the capital budget to augment the generator project, but in addition to the purchase of the generator, there are soft costs such engineering and design. Council determined to focus on having a generator installed to finalize having the McCandless Room as a shelter. Mrs. Thompson-Chin will coordinate with the Borough Engineer to re-scope the project for only one shelter.

C. Basch expressed his concern regarding the clothing drop bins for a pro-profit corporation at the Recycling Center. He stated that the company was convicted in Connecticut for fraud. Council decided to discuss this matter at the next work session.

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 8:35 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC, CMC
 Borough Clerk