

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, FEBRUARY 24, 2015

At 7:30 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 (arrived at 7:31 p.m.),
Nadia LaMastra, Daniel Park, Paul Stefanowicz, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: None.

TO BE CONSIDERED

Business Improvement District

Mayor Rustin inquired if there is consensus among Council to reschedule the presentation by Downtown NJ. C. LaMastra clarified that with regards to the BID, there is an inability to function cohesively because there are different sets of philosophies on what the BID should do. She noted that it is worth giving Downtown NJ the opportunity to present their strategies because the Borough still needs the education.

C. Barzelatto remarked about the BID not doing anything for the downtown during its existence. C. LaMastra responded that the BID worked with the Planning Board to relax some cumbersome regulations. The group also worked with Code Enforcement and DPW to discuss garbage collection, lighting, sidewalk issues by alerting these departments to outstanding issues. She explained that the banner project is a beautification project for the whole district, not only the downtown and that the group had reached out to property owners of vacant locations. She noted that many actions have taken time behind the scenes that do not require the spending of money.

C. Basch commented that to reform the BID, it would involve restructuring their charter. It is easier to start from scratch and not have the existing structure as nothing has been done the last 2 years and nothing currently is being done.

C. Zinna stated that the presentation by Downtown NJ is separate and apart from continuing the BID. He inquired if there has been any discussion with the BID. C. LaMastra responded that there was a meeting scheduled last night but there was no quorum. C. LaMastra described the presentation conducted at the League of Municipalities conference in which Downtown NJ discussed strategies to encourage development. C. Barzelatto commented that a BID is not required to make that happen. C. LaMastra noted that she commented last meeting that it was important to have a business development committee to keep lines of communication open between the Borough and business district.

C. Barzelatto stated that the BID should be abolished and the funds should be returned to the business owners. Mr. McClure reported that there is no precedent for what is to be done with the money because it belongs to a private corporation. The funds do not automatically come back to the Borough. He advised that the structure of a special improvement district is specified by state statute, but what can be changed is its policy.

C. Stefanowicz commented that it is worth having the presentation by Downtown NJ, since it can also help the Chamber of Commerce and individual businesses and in the meantime the existence of the BID should wind down. C. Park concurred. Mayor Rustin will contact the executive director to determine if the group can attend the March 10th regular meeting.

Historic Preservation Commission Appointment

Council reviewed the qualifications of Richard Bennett, who qualifies as Class A member of the Historic Preservation Commission. Mayor Rustin advised that he will make the appointment under the Mayor's Remarks portion in the regular meeting since Council consent is not required.

Art Show in Davis-Johnson Park

Mayor Rustin referenced a request for permission to conduct an art show at Davis-Johnson Park. Stern Slaven explained that the displays will reflect a nature theme. He is seeking to hold the event on April 17th and 18th or 25th and 26th. Mayor Rustin advised that the event will be conducted under the auspices of Tenafly Presents. The event will be coordinated with the DPW Director with regards to the placement of the displays. Council approved the concept.

Draft Policy Resolution for Cable TV Public Access Programming

C. Basch recused himself from this discussion because he works for a company that provides cable access. Mrs. Thompson-Chin explained that she looked into communities that already televise meetings. Since the Borough does not operate a study or have day-to-day operations with the cable company, there needs to be an arrangement with the Board of Education to lay out the types of programming to be permitted. She noted that Monroe Township has similar arrangement. This concept will be addressed at a Joint Use meeting with the Board of Education so that the respective attorney can review the agreement.

November 24th Council Meeting

Council determined to move the November 24th work session and regular meeting to Monday, November 23rd. Such rescheduling was done last year and Council directed the Borough Clerk to schedule the second combined meeting in November to the Monday before Thanksgiving for future meeting calendars.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin recognized the work of Dave Digregorio and Carlos Garcia from the Board of Education as well as volunteers James and Jay for the recording of Council meetings.

With regards to the Hazard Mitigation Grant, a project review meeting was held with the Borough Engineer. At the meeting the NJ OEM requested that the grant agreement be signed at the end of the kickoff meeting. Therefore, on tonight's consent agenda, there is a resolution to ratify the execution of the agreement.

Maser Consulting will attend the Complete Streets implementation workshop on March 3rd.

Mrs. Thompson-Chin reported that the Borough received a NJDOT initiation of proceedings letter. Borough officials, the Engineer and a representative from the Board of Education will meet with NJDOT and CSX on March 4th. The purpose of the site visit is to discuss the improvement and safety of the crossings in the downtown. C. LaMastra inquired if the crossing at Westervelt Avenue will be inspected. Mrs. Thompson-Chin responded that the location was not listed in the letter but she will ask about it at the meeting.

In reference to the topic on purchasing policy, Mrs. Thompson-Chin explained that municipalities do not have a lot of latitude as they are required to operate under the Local Public Contracts Law. C. Basch noted that he is seeking for clarification on how vendors are selected to purchase items. Mrs. Thompson-Chin responded if a particular project or item is below the bid threshold, then quotes are solicited to obtain the best price.

In reference to the topic on parking, Mrs. Thompson-Chin inquired about the guidance being sought and if Chief Chamberlain would be required to attend a meeting. C. Basch stated that there needs to be a reporting on the number of permits issued for residents and out of town drivers, are the lots underutilized, and for information on employee parking permits.

Mrs. Thompson-Chin reported that the Borough-owned building at 5 South Summit Street was flooded from broken water pipes due to the extreme cold weather and it also requires asbestos abatement. C. Barzelatto recommended tearing down the building. Mrs. Thompson-Chin noted that the Borough needs to properly dispose the asbestos before tearing down the building.

CORRESPONDENCE

E. Brambani

RE: Tree Mitigation Waiver Request

Council directed the Borough Administrator to forward the request to the DPW Director for his review and input.

S. & D. Rothman

RE: Engle Street Traffic Safety

Council directed the Borough Administrator to forward the request to the Police Chief to review and evaluate the area, including if there is an accident history for this location.

RESOLUTIONS for meeting of February 24, 2015:

- A. Approve Expenditures as of February 18, 2015
- B. Approve Raffle Applications – RA 1101 – 1107
- C. Approve 2014 Recycling Tonnage Grant Program Reporting Form
- D. Certify Submission of Expenditure for Taxes Paid in 2014 Pursuant to the Recycling Enhancement Act
- E. Establish a Dedicated Trust by Rider – Payment for Off-Duty Police Vehicles
- F. Appoint Deputy Emergency Management Coordinator
- G. Authorize Refund – New Construction and Soil Moving Escrow – 70 Norman Place
- H. Authorize Refund – New Construction and Soil Moving Escrow – 106 Creston Avenue
- I. Authorize Refund – Recreation Programs – Various
- J. Authorize Refunds – 2014 County Tax Board Judgment
- K. Authorize Refund – Overpayment of Taxes
- L. Amend Temporary Budget
- M. Authorize Property Maintenance Lien – Various
- N. Authorize Refund – Tax Court Judgment
- O. Confirm Execution of Grant Agreement – Hazard Mitigation Grant Program
- P. Authorize Execution of Collective Bargaining Agreement – Local 342

C. Barzelatto requested that Resolution F be moved to New Business. Mr. McClure will advise the public under the Revisions to the Agenda portion of the meeting.

Minutes to be approved:

February 3, 2015 Work Session
February 3, 2015 Regular Meeting
February 3, 2015 Closed Session
February 10, 2015 Regular Meeting

OLD BUSINESS

C. LaMastra advised that John Purdy and Nina Seiden of the Environmental Commission, Recreation Director Mercurio and Sgt. Greeley of the Recreation Board, and C. Stefanowicz for the Historic Preservation Commission will join her and C. Zinna on the Open Space Committee. She noted she is waiting for a resident with a real estate license to also join the committee. C. LaMastra is seeking to coordinate a meeting in the 3rd week in March. The Committee will look at the regulations regarding open space, the fund balance, and will make recommendations on how the funds should be used in the long term.

NEW BUSINESS

None

FOR THE GOOD OF THE ORDER

C. LaMastra requested that the high school swim team be recognized for reaching the state finals. Mayor Rustin advised that he will coordinate to invite them to attend a future regular meeting.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. LaMastra, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Lissette Aportela
MPA, RMC, CMC
Borough Clerk