

# **Borough of Tenafly**

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

MONDAY, MARCH 9, 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. Notice of this meeting by the March 4, 2015 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 (arrived at 8:55 p.m.), Maxim Basch, Nadia LaMastra, Daniel Park, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Council member Paul Stefanowicz

## **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.

Wally Marzano-Lesnivich and Michael Sorvino presented their request to shoot an independent film, Captain in the Land of Make Believe, in the Borough and explained how the script was written to be filmed in Tenafly. They requested a waiver of the fee and expect shooting to take place in late April to early May. Council directed the gentlemen to provide further information about the proposed locations and potential fees. This matter will be further discussed at the March 24<sup>th</sup> work session.

## **TO BE CONSIDERED**

### **Refunding Bond Proposal Presentation by J. Capizzi, Bond Counsel**

Borough CFO, Mr. Vinci advised that Bond Counsel, Jason Capizzi of Kraft & Capizzi, is in attendance to explain a refunding bond opportunity that will generate a quarter million dollars of savings in the Borough's debt service. Mr. Capizzi disclosed that under the Dodd Frank Act he is not offering financial advice. The Borough Auditor, Paul Lerch confirmed that he is prohibited from offering financial advice under the law as well. Mr. Capizzi explained that under the Local Finance Law, the Borough is able to refinance the \$8.614 million in bonds that were permanently financed in 2007. Current market conditions favor refunding maturities with at least 3% present value savings. Based on numbers presented, the gross savings to the Borough is expected to be \$263,000. Mr. Vinci added that debt service is a line item in the operating budget and that there would be annual savings to the tax payer by reducing the debt service. Mr. Capizzi explained that to proceed, a refunding bond ordinance is required, as well as resolutions to authorize the sale and to later confirm the sale. The entire process would be finalized around May 8<sup>th</sup>. Council authorized the CFO and Bond Counsel to proceed with the refunding bond proposal.

### **2015 Budget Presentation by P. Lerch, Borough Auditor**

Mr. Lerch stated that the 2015 municipal budget is a solid budget. He explained that municipalities act as a collecting agency and have to pay 100% of the school and county taxes. Therefore, municipalities need to put a non-spending appropriation of the reserve for uncollected taxes to ensure operating costs continue. He recommended that \$50,000 be added to the reserve from uncollected taxes. Mr. Lerch further recommended adding \$118,000 for ordinance 09-21. He noted that for this year, the municipal budget is over \$1.5 million below the tax cap. As part of best

practices, Mr. Lerch requested permission to prepare a budget forecast for 2015 and 2016. Council authorized Mr. Lerch to prepare the report.

### **Overview of 2015 Municipal Budget**

Of the outstanding items from the budget meetings, Council authorized \$10,000 for the cots and blankets for the shelters, but noted that the funds cannot be encumbered until a plan is in place for each shelter. The plan must include the level of services, level activity, if the shelter will be running for the daytime or for 24 hours. Council also authorized restoring the allotment to the Nature Center to \$35,000. C. Park will advise the Board of Trustees to provide its strategic plan to Council as soon as possible. The auditor will transfer all of the information to the state budget forms. The municipal budget will be introduced at the March 24<sup>th</sup> meeting.

### **Purchasing and Petty Cash Policies**

C. Basch expressed his concern about the usage of petty cash for the Recreation Department at the time of spending and sought obtaining a second level of approval for advanced purchases out of petty cash. Mr. Vinci explained that the use of the petty cash is to pay for referees, coaches, and umpires on site. The expense cannot be predicted beforehand, especially if events are canceled and not carried over to a future date. The majority of Council determined not to proceed with this topic further as the replenishment of the fund is approved by the Borough Administrator and CFO and then approved by the Council in the bill list.

### **Downtown Parking**

Council discussed the usage of the parking lots and directed the Borough Administrator to speak with Chief Chamberlain regarding the enforcement of the time limits in the lots. Mayor Rustin recommended that a project for interns is to check the usage of the lots, which vehicles have permits, and to check with businesses on the current list of employees and if they have permits.

### **Bergen County Cooperative Ramp Program**

Mrs. Thompson-Chin clarified that in this program, Bergen County is performing the construction work to upgrade and install ADA compliant ramps along county roads. The work was anticipated to be completed last year, but the contract expired and needed to be rebid. The prices increased, but the County will still pay for the ramps on a reimbursement basis. The Borough needs to adopt a revised resolution voiding the prior contract and incorporating the revised cost of the project.

### **ADMINISTRATOR'S REPORT**

Mrs. Thompson-Chin advised that International Fireworks is being recommended as the vendor the 2015 fireworks event. For this year's solicitation, 3 proposals this year. All prices were quoted at \$12,000, but International Fireworks offered more shots and special effects.

At the NJDOT and CSX meeting held on March 4<sup>th</sup>, the condition and signage was evaluated at the Central Avenue crossing. CSX will be making significant improvements to the crossing. The cost of the sidewalk replacement will be the Borough's responsibility at a cost of \$25,000.

With regards to the Borough-owned property at 5 South Summit Street, lead and asbestos need to be remediated before the structure can be demolished. The Borough Engineer is seeking quotes.

### **CORRESPONDENCE**

MCANJ

RE: Support A-1109

Mayor Rustin advised that he will forward the proposed resolution to the Bergen County United Way president for his opinion. C. Park will discuss the resolution with Assemblywoman Vainieri-Huttle.

### **RESOLUTIONS for meeting of March 10, 2015:**

- A. Approve Expenditures as of March 4, 2015
- B. Authorize Refunds – Tax Court Judgments

### **OLD BUSINESS**

C. LaMastra inquired about the recognition of the new officers for TVAC and the Fire Department. It was determined to schedule the recognition of the TVAC officers for April 14<sup>th</sup> meeting.

### **NEW BUSINESS**

None.

### **FOR THE GOOD OF THE ORDER**

C. LaMastra referenced the article Tom Nigro provided at the last meeting and inquired if the Blankman Tract qualifies for a national landmark status. C. Park advised he will ask about it at the next meeting with the Nature Center Board of Trustees.

Mayor Rustin referenced that Bond Counsel, Jack Kraft received a lifetime achievement award and was referenced in an article in the League of Municipalities magazine. Since he has served the Borough for 20 years, he advised he wished to present him with a proclamation for his service. Council concurred.

Mayor Rustin advised that Mr. Slaven, coordinator for the art exhibit is seeking permission to serve wine at the art exhibit at Davis-Johnson Park. Council granted permission to the request.

Mayor Rustin referenced an article in Suburbanite about a resident who ran a book club at the Library, who he would invite to present a proclamation at an upcoming meeting.

**CLOSED SESSION**

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 15-95.

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. Attorney-Client Privilege
  - 1. Swim Club Leases

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 at 9:28 p.m.

**ADJOURNMENT**

As there was no further business to come before the Council, on a motion by C. Park, second by C. Basch, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:53 p.m.

Respectfully submitted,

Lissette Aportela,  
MPA, RMC, CMC  
Borough Clerk