

# **Borough of Tenafly**

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, JUNE 30, 2015

At 7:33 p.m. Council President Zinna 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 Press. "

Present: Council members: Anthony Barzelatto (arrived at 8:17 p.m.), Maxim Basch, Nadia LaMastra, Daniel Park (arrived at 7:36 p.m.), Paul Stefanowicz, Mark Zinna

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

Absent: Mayor Peter S. Rustin

## **TO BE CONSIDERED**

### **Raising Age of Tobacco Sales**

Council reviewed the documents from GASP with regards to raising the age of tobacco sales to 21. A representative from GASP, Cara Murphy, noted that when the age limit is increased to 21 years of age, it takes cigarettes out of the high schools. She noted that the model ordinance includes electronic cigarettes. Council directed the Borough Attorney to draft an ordinance for introduction on July 13<sup>th</sup>.

### **Amendment to Contract for Recruitment Services**

Mrs. Thompson-Chin referenced a letter from Mr. Fehrenbach who concluded his engagement with the Borough. He is requesting additional compensation due to the intensive recruitment process, which involved additional time and additional meetings. He also conducted a direct outreach and was asked to research alternative options due to demand for the position. Council authorized the additional compensation. Mrs. Thompson-Chin will prepare a resolution for the July 13<sup>th</sup> meeting.

## **ADMINISTRATOR'S REPORT**

Mrs. Thompson-Chin advised that the DPW Director and Borough Engineer conducted an inventory of streets in the Borough for repair and have identified 10 streets for milling and paving and 14 streets for microsurfacing. The proposed estimate is \$1.2 million for the 2016 capital budget. This will enable the Borough to catch up on the necessary road repairs and further institutionalize microsurfacing. She noted that Piermont Road is a candidate for the NJ DOT grant.

## **CORRESPONDENCE**

Burbano/Abril RE: First Responders Commendation  
Council acknowledged the letter from the residents commending the Fire Department, Police Department, and TVAC for their response to a fire in their home on May 31<sup>st</sup>.

National Trust for Historic Preservation RE: Valley Hotel  
C. Basch requested that the owner of the former Charlie Brown's be asked to preserve some part of the building and put a sign acknowledging the importance of the site. C. Zinna responded that the application is active with the Planning Board and the applicant has offered to install a sign about the history of the building. C. LaMastra suggested asking the owner for permission to have the HPC go in the building to evaluate if there is an artifact that may have been overlooked. If an artifact is uncovered, it is suggested for the property owner to place it on display in the front lobby. Council requested that the property owner be contacted with these recommendations.

L. Blatt RE: First Responders Commendation  
Council acknowledged the letter from the resident commending the Police Department, TVAC, and the Fire Department for their response to an emergency on June 14<sup>th</sup>.

**RESOLUTIONS** for meeting of June 30, 2015:

- A. Approve Expenditures as of June 24, 2015
- B. Approve Outdoor Seating Permits – Various
- C. Rescind Resolution #15-115 – Redemption of Tax Title Lien TTL12-7
- D. Authorize Refund – Overpayment of Taxes – Lee & Jun
- E. Authorize Refund – Tax Court Judgment – Schreer
- F. Authorize Refund – Tax Court Judgment – Pizzurro
- G. Authorize Refunds – Recreation Department – Various
- H. Award Contract – VCI Emergency Vehicle Specialists
- I. Approve Change Order #1 – Concrete Construction Corporation
- J. Authorize Renewal of Plenary Retail Consumption License and Plenary Retail Distribution License

**Minutes** to be approved:

June 9, 2015 Work Session  
June 16, 2015 Regular Meeting  
June 16, 2015 Closed Session

**FOR THE GOOD OF THE ORDER**

C. Park inquired if the area south of Walnut Park can be evaluated for a dog park. Mrs. Thompson-Chin responded that it will be discussed at the next quality of life committee meeting and she will advise.

Mr. McClure advised Council that an update on the Latz litigation is being added to tonight's closed session.

**OLD BUSINESS**

**53 Knickerbocker Road**

C. LaMastra stated that the open space subcommittee discussed if the Borough has done its due diligence to evaluate the proper usage of the funds, which should amount to about \$2 million at the end of the year. With regards to 53 Knickerbocker Road, she commented that the Council should brainstorm about acquisition of the property. Grants will take a long time to even be notified of an award.

C. Basch remarked that the Borough should seek alternative ways to preserve property because it is the last property that has historic and natural value. He stated he has contacted the Historic Preservation Commission, Environmental Commission and potential investors to work with the Borough. C. Basch disclosed that he has a friend who is an investor and is willing to join with the Borough to take a share of the property to reduce the Borough's costs as a matter of last resort. He advised that he invited the investor to come tonight at 9pm to discuss his proposal. He commented that he would like to add this discussion to the closed session agenda to review the investor's funds and open space funds. C. Basch described that the investor would develop a portion of the area as a low-income COAH project and provide funding to renovate 53 Knickerbocker Road.

C. Zinna asked C. Basch how this person came to his attention. C. Basch responded that this individual is a personal friend who is an investor and benefactor.

C. Zinna noted that even if there is an agreement, it will be at least a 6-12 month process. There is no legal way to stop the Planning Board's activities. It would be a matter of working with the property owners. If COAH funds are to be used, it requires approval from COAH.

Mr. McClure advised that matters to be discussed in closed session are limited in scope and only discussing the negotiation of a potential offer. He confirmed that if COAH funds are to be used, the specific project would have to be part of the spending plan, which is subject to approval by the state; however, the status of COAH is currently in litigation and it is not expected to be resolved for at least a year.

C. Basch referenced a letter from the Environmental Commission, which is requesting that an inventory of trees be done. He stated that the Planning Board should request the owner to do so as a condition of approval. C. Zinna responded that the applicant is not required under the Borough Code to do so. Unless a condition is codified, it cannot be mandated. Council determined to review the tree ordinance 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. Park, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Lissette Aportela  
MPA, RMC, CMC  
Borough Clerk