

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, MARCH 27, 2012

The meeting was called to order at 7:33 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 News."

Present: Mayor Peter S. Rustin

Council members: Council members Anthony Barzelatto, Barry Honig (arrived at 7:37 p.m.), Martha Kerge, Nadia LaMastra, Jon Warms, and Mark Zinna

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

Absent: none.

TO BE CONSIDERED

2012 Farmers' Market

Mayor Rustin introduced the coordinator of the Farmers' Market, David Hughes. C. LaMastra inquired if there will be anything new to attract more traffic to the downtown. Mr. Hughes responded that he is exploring sponsorship for low key music to create ambiance and noted that the current location is the best due to minimal disruption of traffic as there is requirement to close streets. Council determined that the banner will be put up a week before the beginning of the season and the banner can be up for the duration of the season unless there is another event that requires usage of a banner. C. LaMastra advised that she will put Mr. Hughes in contact with the BID Director for assistance. Mayor Rustin noted that the Farmers' Market continues to be a welcome addition to the community.

Waiver of Permit Fees - Storm Emergencies.

Council discussed the possibility of waiving permit fees after a major storm, which is a practice in other communities. Mayor Rustin advised that he spoke with the Construction Official, who advised him that he does not have the authority to grant such waivers. C. LaMastra commented that the waiver needs to be tied to very specific events, such as when state of emergency is declared or FEMA becomes involved. She remarked that Englewood, Westwood, and Closter have a fee waiver policy. Mrs. Thompson-Chin will research these policies and report back to Council.

JIF Training for Council – Selection of Date and Time.

Mayor Rustin explained that if an elected official takes this course, the Borough receives a credit in the insurance premium for each person who takes the course. Council determined to attend a training session on Tuesday, May 1st at 6:30 p.m.

Proposed Ordinance - 2012 International Property Maintenance Code

Council reviewed the proposed code and authorized that it be listed for introduction in April.

ADMINISTRATOR'S REPORT

Mr. Vinci reported that the Borough's outstanding debt is \$20,134,630 and when explored this matter with bond counsel and the auditor, there is no ability to do refunding. Only when the 2007 bond is callable, the Borough can start the process in 2015. C. LaMastra explained that when the prior CFO went before the Local Finance Board in 2007 a specific payment schedule was laid out, which is why it is not callable until 2017. C. Warms stated that by making this debt noncallable, the Borough received a lower interest rate for the time.

Mr. Vinci explained that the Borough's debt includes unfunded debt, which was authorized, but never been issued. From 2004 to 2011 about \$2.8 mil of these projects were funded out of current cash flow. It is not included in the debt service line item of the budget in which debt service includes principal and interest that is currently being paid. C. Kerge asked what will happen to remainder of funds from Police Headquarters project. Mr. Vinci advised that the funds can be reappropriated or canceled. If the balance is canceled and put in as revenue in 2012, it will create a problem in the following year because it is revenue that cannot be recreated. By reappropriating the funds, funds will be put into another project, which would lower capital line item for that year and this option is his recommended course of action. Mr. Vinci explained 25% of \$2.8 million is part of the 2011 multipurpose ordinance. C. Honig inquired about rebonding what is not being borrowed at lower rates to lower taxes. Mr. Vinci advised that if Council were to do so, such action would increase debt service number in next year's budget as the principal interest would be higher in the ensuing year. C. Honig commented that Council needs a forecast to understand cashflow needs. C. LaMastra stated that the concept in theory makes sense, but statutorily the Borough can only borrow against projects in capital budget that have been identified.

Mrs. Thompson-Chin reported that DPW is waiting for any pending reports from the DEP and/or County Hazmat to further clarify the Latz Property oil spill. Mr. McClure advised that the investigation to origin of oil spill at the Latz site needs to be finalized, and then DEP will take action accordingly. C. Barzelatto stated that the Building Department can still issue violations. Mayor Rustin requested the Borough Administrator remind Construction Official to keep this matter on the radar.

Mrs. Thompson-Chin explained that the letter from the BCUA relates to the Borough's obligation to conduct enforcement activities to identify and prevent the incidence of Rain-Derived Infiltration/Inflow (RDI/I). The Borough Engineer is working on legislation for Council to enact in order to be in compliance. C. LaMastra asked if the CCO ordinance will be coming back for Council to approve. Mrs. Thompson-Chin noted that the Borough Engineer needs to be present for that discussion because part of enforcement requirement in the BCUA letter comes from CCO enforcement.

C. LaMastra inquired about the gazebo at Huyler Park. Mrs. Thompson-Chin responded that the gazebo is on hold as there aren't sufficient funds for this project. Currently, the Borough is working on projects that are grant funded and have time restrictions to complete.

CORRESPONDENCE

A. Chamber of Commerce Re: Spring Street Festival – 6/9 & 6/10
Mrs. Thompson-Chin requested Council to hold formal approval until the Media & Events Committee meets with the Chamber's marketing consultant on April 5th to coordinate the event in an effort to prevent miscues and miscommunication. Council approved the request contingent to the Media & Events Committee's finalization of the event.

B. Chamber of Commerce Re: Street Festival Signage
Council approved the request contingent to the Media & Events Committee's finalization of the street festival.

C. Jenna's Rainbow Re: Signage Request
Council approved the request contingent to the Media & Events Committee's review of the event to determine if any further assistance may be required from the Borough.

D. NJLM Re: Resolution of Support – Energy Tax Restoration.

A resolution supporting this issue will be listed for the April 10th Consent Agenda.

RESOLUTIONS for meeting of March 27, 2012:

- A. Approve Expenditures as of March 21, 2012.
- B. Authorize Issuance of License to Peddle Ice Cream - License No. I-1-2012 – Corbo.
- C. Approve Interlocal Agreement - the Borough of Paramus – 911 Emergency Telephone Services.
- D. Authorize Amendment of Contract/Dedicated Project Services, LLC.
- E. Authorize Receipt of Bids/Repair and Maintenance of Police Vehicles.
- F. Authorize Receipt of Bids/ Repair and Maintenance of Traffic Signals and Related Equipment.

