

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, JUNE 19, 2012

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Barry Honig, Nadia LaMastra, Jon Warms, and Mark Zinna

ABSENT: Councilwoman Martha Kerge

ALSO PRESENT: Borough Administrator Jewel Thompson-Chin
Borough Attorney William R. McClure

At 7:45 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 listed in the Annual Agenda; copies are sent to the Record, Suburbanite, and Northern Valley News and posted on the bulletin board in the lobby of the Municipal Center."

The Salute to the Flag was led by Mayor Peter Rustin.

Motion by C. Zinna, second by C. LaMastra, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the May 22, 2012 Special Work Session, May 29, 2012 Work Session, May 29, 2012 Public Meeting, and May 29, 2012 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:

Borough Attorney McClure advised that there were no revisions to the agenda.

Proclamation in Recognition of Safe at Home Champions

Mayor Rustin commented that it is a special night as this year, the Tenafly Recreation 2012 senior softball team accomplished something very special. He expressed the governing body's gratitude to the girls, coaches, and parents. He then read the proclamation congratulating them as the new Safe at Home Champions. He also recognized the members of Tenafly Recreation Board and the Recreation staff for their part in this accomplishment. He noted that the Borough Council has supported all sports programs throughout the years.

AUDIENCE REMARKS FOR AGENDA ITEMS:

No one came forward.

CONSENT AGENDA:

#R12-247/Approve Expenditures as of June 13, 2012.

#R12-248/Authorize Renewal of Plenary Retail Consumption, Plenary Retail Distribution, and Club Liquor Licenses/2012-2013 Term

#R12-249/Authorize Refund/Engineering Review Fee/57 Floral Terrace

#R12-250/Authorize Refund/Zoning Escrow/115 Sanz County Road, LLC

#R12-251/Authorize Execution of 2011 Bergen County Open Space Trust Fund Municipal Program Grant Agreement

#R12-252/Authorize Execution of ADA Cooperative Engineering Design Grant Program and ADA Cooperative Curb Ramp Construction Grant Program with Bergen County

#R12-253/Authorize Receipt of Bids/Tree Chipper for the Department of Public Works

#R12-254/Authorize Refund/Roof Replacement Permit/Reiner Group, Inc

#R12-255/Authorize Execution of DPW Supervisors Contract

#R12-256/Authorize Execution of Affordable Housing Administrator Contract with Community Action Services

#R12-257/Approve Downey Drive Sidewalk Engineering Estimate

#R12-258/Approve Developer's Agreement/Lubavitch on the Palisades

#R12-259/Suspend Access to the Recycling Center/Decal #599

- #R12-260/Support S-302, "Transparency in Government Act"
- #R12-261/Authorize Refund/Bonds and Escrows/28 Country Club Rd, LLC
- #R12-262/Authorize Refund/Bonds and Escrows/68 Knickerbocker Rd
- #R12-263/Authorize Refund/Board of Adjustment Escrow/49 Madison Ave
- #R12-264/Authorize Refund/Tree Mitigation Escrow/28 Country Club Rd, LLC
- #R12-265/Authorize Refund/Tree Mitigation Escrow/North American Eagle Construction Co., LLC
- #R12-266/Authorize Refund/Tree Mitigation Escrow/92 Park Street
- #R12-267/Approve Outdoor Seating Permits/ Café Angelique, Deli Express of Tenafly, and Foova, Inc.
- #R12-268/Approve Raffle Application/RA1022

Motion by C. LaMastra, second by C. Honig that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	absent	C. Zinna:	aye

All members present voting in favor, the Consent Agenda was approved.

COMMITTEE REPORTS:

Councilman Honig

Mr. Honig advised that he was out of town for ADA meeting on Wednesday, but believes that Andrew Hipolit, Borough Engineer, and Bob Beutel, DPW Director, attended and discussed the results of Recreation and Parks Study. Mayor Rustin advised that he spoke with Becca Moldover, Chair of the ADA Committee, and she is pleased with thoroughness of report and responsiveness of Borough Engineer. Borough Administrator Thompson-Chin commented that she views this project as ongoing and advised that she is beginning to explore ways to use local open space trust funds.

Councilman Warms

No report

Councilman Barzelatto

No report

Mayor Rustin

Mayor Rustin reported that the Bergen County League of Municipalities took a trip to highline in New York City last Wednesday. He expressed his opinion that every elected official should see it as it is an example of what can be done when the public and private sector join together. He explained that it had been an elevated train line, abandoned in the late 1980s, that has now been converted into a park.

Councilwoman LaMastra

Ms. LaMastra advised that TVAC had its annual awards dinner and 20th anniversary. She asked that the Council invite them to a future meeting to acknowledge their 20th anniversary and their contribution to the community.

The BID met and approved their strategic plan which will be forwarded to the governing body.

The Recreation Board met and reported that the camp numbers are in line with last year. There was discussion about concussion training and as certain leagues are modifying their rules to allow for less hitting, they will be discussing that possibility as well. The Board would like a status update on the lightning detectors. Borough Administrator

Thompson-Chin advised that Borough Engineer's office will be soliciting quotes.

Councilman Zinna

No report.

PUBLIC HEARINGS

ORDINANCE NO. 12-08:

The Borough Clerk read into the record:

The following ordinances published herewith were first read by title only on May 29, 2012, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 12-08 - AN ORDINANCE REAPPROPRIATING \$188,861 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE VARIOUS PURPOSES AS MORE FULLY DESCRIBED HEREIN IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.

ORDINANCE NO. 12-09 - AN ORDINANCE APPROPRIATING \$150,000 TO PROVIDE FOR IMPROVEMENTS TO COLUMBUS DRIVE IN AND BY THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY.

Public Comments on Ordinances 12-08 and 12-09.

No one came forward.

Motion by C. LaMastra , second by C. Barzelatto that Ordinances 12-08 and 12-09 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	absent	C. Zinna:	aye

OLD BUSINESS:

None.

NEW BUSINESS:

None.

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

Sandra Diasparra, Tenafly Arts, referenced the latest article in *Suburbanite* and expressed her concern over Mayor Rustin's comment that Council would not go forward with something that the BID would not find beneficial. She commented that it bothers her that they have been given so much power.

Mayor Rustin responded that he was simply saying that it is not likely that the governing body will approve something that the BID is against. C. LaMastra added that Council takes the input of various boards and committees when making decisions. Mayor Rustin that the BID has been given certain responsibilities and will not be permitted to abuse their power as the Council makes the final decision on all expenditures.

Mel Lubins, 33 Stonybrook Road, asked that public comment be allowed after expert testimony from engineers and planners.

Mayor Rustin advised that, at no time, does the Council take a report or recommendation and act on it immediately, thereby giving residents plenty of time to give a response or express their concerns.

Mark Feldman, 133 Lylewood Drive, asked that the terms and conditions of the DPW labor contract, approved this evening, be disclosed.

Borough Clerk Aportela-Hernandez advised that once Mayor Rustin signs the contract and she attests, it will be available to view by filling out an OPRA request. Borough Attorney McClure explained that the document is not effective until it is signed.

MAYOR'S REMARKS:

None.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Honig, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk