

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, JUNE 26, 2012

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

ABSENT: None

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

At 8:56 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 Press and posted on the bulletin board in the lobby of the Municipal Center."

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

REVISIONS TO AGENDA:

Borough Attorney McClure advised that a contract matter regarding a request from the Police Department is being added to the Closed Session.

PUBLIC COMMENTS:

Sandra Diasparra, 5 Atwood Avenue, owner of Tenafly Arts, explained that she began attending meetings to learn how the funds collected by the BID are being used. She asked that the Council scrutinize the BID budget in the same way that they do the municipal budget. She criticized the BID website as she feels that it is specifically meant for advertising and the only effective way for a business to do so is to be member of Facebook which she is not. She also questioned the need to put signs up as Tenafly is a small town and signs will only clutter the beautiful greenery. She further advised that she has had to raise her rates because of the bid tax, causing her to lose business. She expressed her hope that Council does not vote to approve this budget.

Shell and Jeff Grossman, Downey Drive, expressed their continued concern about the Downey Drive sidewalk as proposed. Ms. Grossman advised that they sent letters to the Council, the Borough Administrator, and Chief Bruno, but have not received a response. She commented that her neighbors were invited to meet with the consultant at time of Downey Drive study, but she and her husband were not included. She expressed her opinion that there are serious safety concerns in that area and although she and her husband are generally supporters of sidewalks, they do not believe that a sidewalk is the solution. She stated that due to the difficult economic times, funds need to be allocated in most beneficial way and advised against going forward with Phase II without an analysis of Phase I.

Johanne Gambrell, Ravine Road, explained that the composition of the BID Board is a concern as she wasn't sure why it was to be expanded and there is no guarantee that business owners will have a place on the board. She also expressed her concern about the proposal for voting as she believes that it invites the possibility of coalitions. She criticized the lack of communication, the website being outdated and incorrect, and the unnecessary outsourcing by the BID Director.

Mark Feldman, Lylewood Drive, expressed his hope that there would be an update on the final financial report on the Police Headquarters as he believes that it may involve quite a large amount of money and could impact the reallocation of funds for capital projects. He also asked if the tree ordinance is being reworked and whether the Environmental Commission has been asked to get involved. He questioned how the recent decision regarding the seizure of COAH funds will impact land acquisition in Tenafly. He also asked for an update on the specific proposed zoning changes.

Robin Brown, Marcotte Lane, Bergenfield, commented that she still doesn't see the changes in the proposed budget that she requested. She criticized the lack of transparency as there are no minutes or financials posted and expressed her opinion that the website is outdated. She pointed out that the BID Director's budgets in other towns are done exactly the same as this one. She advised that many businesses in town do not operate on a Facebook platform. She stated that a hardship is created by this extra tax and asked that the bylaws be revised to ensure that a majority of the board will be paying this tax. She expressed her opinion that there is a need to streamline communication between town, Chamber of Commerce, and the BID. She also expressed her hope that the 2% cap also applies to BID budget.

CONSENT AGENDA:

#R12-270/Authorize Refund/Planning Board Trust Account/Liberty Gate Construction Corp.

#R12-271/Authorize Refund/Teen Summer Camp/Aminova

#R12-272/Authorize Refund/Teen Summer Camp/Strauss

#R12-273/Authorize Refund/Tree Mitigation Escrow/53 Hamilton Place

#R12-274/Authorize Refund/Tree Mitigation Escrow/144 Oxford Drive

#R12-275/Authorize Refund/Tree Mitigation Escrow/76 W. Clinton Avenue

#R12-276/Authorize Refund/Tree Mitigation Escrow/193 W. Clinton Avenue

#R12-277/Authorize Refund/Tree Mitigation Escrow/146 Columbus Drive

Motion by C. LaMastra, second by C. Warms 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:	aye	C. Zinna:	aye

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

COMMITTEE REPORTS:

Councilman Honig No report.

Councilman Warms No report.

Councilman Barzelatto No report.

Mayor Rustin Mayor Rustin advised that he has been invited to attend a meeting this Thursday evening, along with other mayors of upper Northern Valley, to discuss the rekindling of the Northern Branch up to Rockland County. He commented that although he believes that his stance on this topic is understood, he felt that it is important to get Tenafly's viewpoint across. He announced that there will also be a Transportation Committee meeting on Thursday and the consultant conducting the Downtown Circulation Study will be attending.

Councilwoman LaMastra Ms. LaMastra advised that TVAC met last night and discussed the transition of members going to college and new members joining. They are losing 14 members and as training is now \$1,200, there are concerns that the ability to have trained EMTs will be jeopardized. They also discussed preparation for the fireworks and having members present to escort missing children to their command center. They will be sending an ambulance and crew to Englewood for their fireworks. Ms. LaMastra advised them that the governing body will be recognizing TVAC at the July 10th Public meeting. TVAC also discussed summer camp and counselors being trained in CPR. There was a request from the JCC to have an ambulance on standby for their

summer camp, but TVAC was unable to accommodate this request.

The Welcome Committee had an event at the Library to encourage reading.

Mayor Rustin

Mayor Rustin announced that the Independence Day celebration is scheduled on July 1st from 10 a.m. until 3 p.m., with a fireworks display that night.

C. Honig asked whether there are any funds in the budget to offset the cost of training as he believes that it would be imprudent to have a depleted TVAC force. C. LaMastra responded that they are looking at their budget and she will have an update next week. Council requested that Borough Administrator Thompson-Chin communicate whether there are funds in the budget to offset the cost of the training. Borough Administrator Thompson-Chin advised that TVAC does have a line item in its budget for training and they also have the ability to move funds within their operating budget.

Councilman Zinna

No report.

Councilwoman Kerge

No report.

OLD BUSINESS:
2012 BID Budget

#R12-224/Adoption of 2012 BID Budget and Confirmation of Assessment

Motion by C. LaMastra, second by C. Zinna that #R12-224 be removed from the table.

On a roll call, the vote on to remove #R12-224 from the table was recorded as follows:

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

Motion by C. LaMastra, second by C. Zinna that #R12-224 be adopted.

C. Honig stated that he empathizes with the comments from the public this evening. He believes that the BID needs to do a much better job, but he is reluctantly going to vote to approve this budget. He expressed his faith and confidence in the nine board members and stated that he is willing to give it one last chance, but if there are no real, concrete results, he will have to agree that it is not working.

C. Kerge explained that she has found that this budget lacks justification for the big money items. She expressed her opinion that Council has already given the BID one more chance and she is bothered most by the fact that nobody is coming out in favor of the BID. She commented that she had high hopes for the BID, but does not believe that they have proven that anything is going to change. She advised that she will be abstaining this evening.

C. Zinna advised that he very much agrees with comments made by C. Honig. He believes that the individuals on BID Board are very capable, smart business people and have good intentions. He commented that there are high expectations for next 12 months.

C. Warms advised that he has studied the BID budget and listened to the comments. He stated that businesses throughout town are in need of support and there is a concrete plan that can help. He believes that the governing body needs to give the BID one more chance to deliver concrete results.

C. LaMastra advised that the BID is working very hard to remedy the problems and the members are working closely with the Mayor and Council, Borough departments, and Chamber of Commerce. She explained that subcommittees meet all of the time and the

director is in town more than people think. She expressed her opinion that the BID will live up to expectations.

Mayor Rustin remarked that the downtown is in trouble, but it is not a unique situation. He stated that he is pleased that he is not a part of a governing body that is going to throw in the towel. He advised that they have sent the message to the BID Board that the website is unacceptable and that this year is their opportunity to show the Council that they are headed in right direction. He addressed some of the public comment and expressed his opinion that if the downtown is strengthened, the businesses on the outskirts will benefit. He believes that they are poised to head in right direction as they have good a BID Board, with members having a vested interest in the success of downtown. He asked that everyone give them a chance to do what they have been challenged to do.

On a roll call, the vote on to adopt #R12-224 was recorded as follows:

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

The majority present voting in favor, #R12-224 was adopted.

NEW BUSINESS:

Introduction of Ordinances

C. LaMastra moved to introduce and pass on first reading Ordinance 12-11 and setting July 10, 2012 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Zinna:

C. LaMastra read the ordinance into the record:

ORDINANCE NO. 12-11 - AN ORDINANCE TO AMEND THE SALARY, WAGE, OR COMPENSATION OF CERTAIN ADMINISTRATIVE, LIBRARY, CIVILIAN DISPATCHERS AND PART TIME EMPLOYEES OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, FOR THE CALENDAR YEAR 2012.

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

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

C. Zinna moved to introduce and pass on first reading Ordinance 12-12 and setting July 10, 2012 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. LaMastra:

C. Zinna read the ordinance into the record:

ORDINANCE NO. 12-12 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC" IN ORDER TO PROHIBIT PARKING AT ALL TIMES ON CERTAIN STREETS

C. Honig questioned the rationale for this restriction. Mayor Rustin advised that it is a narrow street with parking on either side, making it difficult for emergency vehicles to get through.

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

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

MAYOR'S REMARKS:

Mayor Rustin explained that he is convinced that Council did not do the right thing by not putting money in the budget for summer concerts as sponsorship money has dried up. He stated that he is pleased that there will be a few concerts in August and is hopeful that next year, Tenafly will be back to where it had been as he believes that the concerts are a part of the quality of life.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 12-278.

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. Personnel –
 - 1. DPW Employee – D. Economou – Terms and Conditions of Employment
 - 2. Benefits Available to Spouses of Retired Personnel – Request for Modification

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. Honig, seconded by C. Zinna, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:48 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Honig, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:31 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk