

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, AUGUST 14, 2012

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

ABSENT: Council members Barry Honig and Martha Kerge

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

At 8:13 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.

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

BE IT RESOLVED that the Minutes of the July 10, 2012 Work Session, July 10, 2012 Closed Session (not to be released), July 10, 2012 Public Meeting, and July 10, 2012 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:

Borough Attorney McClure advised that Resolution #R12-313/ Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Tenafly, New Jersey into a Single Issue of General Improvement Bonds \$6,260,000 in Principal Amount and #R12-314/Resolution Determining the Form and Other Details of \$6,260,000 General Improvement Bonds of the Borough of Tenafly, New Jersey and Providing for Their Sale are being removed from the Consent Agenda and placed under New Business.

PRESENTATIONS:

Oath of Office – Police Officers Patrick Baumuller and Manuel Fidel

Mayor Rustin commented that it is his pleasure and privilege to introduce the two new officers. He reminded the audience how lucky Tenafly is to be served by such a great police force.

Chief Michael Bruno advised that Officers Patrick Baumuller and Manuel Fidel were 2 of 147 candidates who underwent the testing process to become an officer in Tenafly. He explained that 147 candidates sat for the written exam, the resulting top 40 candidates were sent for a physical exam, and then the resulting top 20 underwent a series of

interviews. He advised that all of the candidates were qualified, but they picked the candidates who they felt were the best fit for Tenafly.

Borough Attorney McClure administered the Oath of Office to Officers Patrick Baumuller and Manuel Fidel.

Mayor Rustin thanked the members of the Baumuller and Fidel families and expressed his appreciation for the sacrifices that they make.

PUBLIC COMMENTS:

Mark Feldman, 133 Lylewood Drive, expressed his concern over the bond issue being listed on the agenda. He then asked how the property owners will be notified of the zoning changes that may take place. He questioned when a plan to build an educational center at the Nature Center was presented to Council. Mr. Feldman then referred to meeting minutes from last fall in which Council discussed having facilities for the refuge of citizens during storms and asked for a status. He also referenced meeting minutes from last October in which the possibility of shared services with the Borough of Cresskill was discussed. He expressed his belief that they are now in active discussions with the Borough of Demarest.

Mayor Rustin responded that back in April, the Council voted to move forward with the bond sale and engaged the Bond Counsel and Auditor. He explained that if this issue was not listed for action tonight, all of the money that has been allocated thus far would have been wasted. He advised that Council still has the opportunity to change its mind. In reference to the proposed zoning changes, Mayor Rustin replied that information will be included in the newsletter, on the Borough website, and there will be a special meeting with the Planning Board on October 23rd to discuss this issue as well as other topics. Mayor Rustin then advised that the process for the educational center at the Nature Center has not even begun. He explained that the Nature Center first went to Green Acres to see if they had permission and assured Mr. Feldman that the public will be made well aware once the Council becomes involved. In terms of shelters for residents during storm events, Mayor Rustin responded that they have reached out to the schools and the JCC and are reviewing their options. He advised that there will be a seminar on September 13th concerning emergency preparedness. Mayor Rustin expressed his disappointment that the possibility of shared services with the Borough of Cresskill never came to pass. He advised that Tenafly and Cresskill had shared a registrar, but Cresskill canceled that agreement very suddenly.

CONSENT AGENDA:

#R12-295/Approve Expenditures as of August 8, 2012.

#R12-296/Authorize Submission/Tenafly Chemical Awareness Program-Municipal Alliance Grant

#R12-297/Award Contract/Northeastern Arborist Supply/DPW Tree Chipper

#R12-298/Cancel Checks/Municipal Court Bail Account and General Account

#R12-299/Renew Plenary Retail Consumption License/115 Sanz County Road, LLC

#R12-300/Authorize Refund of Planning Board Trust PB# 1-10-14 and 10% of Performance Bond/Dr. Kevin Song.

#R12-301/Appoint Deputy Municipal Court Administrator

#R12-302/ Appoint Representatives to the Bergen County Open Space Trust Municipal Program Regional Committee

#R12-303/Authorize Submission of Grant Application to the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund for Park Improvements & ADA Accessibility for Froggy Park and Griffin Park

- #R12-304/Establish Local Elected Official Training Requirement
- #R12-305/Authorize Transfer of Funds from Tree Mitigation Escrow to Borough Tree Replacement Fund
- #R12-306/Approve Issuance of Outdoor Seating Permit/Sushi Ten Corporation
- #R12-307/Approve Raffle Applications RA1023 and RA1024
- #R12-308/Authorize 6 Month Suspension of Recycling Decal #3466
- #R12-309/Execute Collective Bargaining Agreement/Tenaflly Administrative Employees Bargaining Unit
- #R12-310/Authorize Refund/Tree Mitigation Escrow/16 Central Avenue
- #R12-311/Establish Policies Regarding the Acceptable Use of the Recycling Center
- #R12-312/Adopt Corrective Action Plan
- #R12-313/~~Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Tenaflly, New Jersey into a Single Issue of General Improvement Bonds \$6,260,000 in Principal Amount Moved to New Business~~
- #R12-314/~~Resolution Determining the Form and Other Details of \$6,260,000— General Improvement Bonds of the Borough of Tenaflly, New Jersey and Providing for Their Sale Moved to New Business~~
- #R12-315/Authorize Issuance of Purchase Order to Warshauer Electric Supply/Davis Johnson Park Lighting Upgrade
- #R12-316/Authorize Issuance of Purchase Order to Cooper Electric Supply Company/Huyler Park Lighting Upgrade
- #R12-317/Authorize Additional Engineering Services/Design and Inspection Services for the Installation of Lighting at Davis Johnson Park and Huyler Park

Motion by C. LaMastra, second by C. Warms that the Consent Agenda be approved as amended.

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

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

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

Mayor Rustin advised the Correspondence portion of the Committee of the Whole agenda will be addressed at this time as it had been mistakenly omitted.

CORRESPONDENCE

C. Kellogg RE: Pedestrian Crossings

Council asked that Chief Bruno be asked for his input on how to respond to Ms. Kellogg's concerns.

Borough Historian Rigney RE: Permission to Accept Gift for Bandstand

Council agreed to grant permission to accept the gift for the Bandstand and asked that the Borough Clerk advise Ms. Rigney.

Chamber of Commerce

RE: October Street Festival – Event and Signage

Borough Administrator Thompson-Chin advised that Bob Kutik will meet with the relevant Borough Officials on September 6th to review the details of the October Street Festival. Council approved this request for the event and signage, but asked that the Chamber of Commerce be reminded that the signage needs to come down within a few days of the event has taken place.

NJ Metro Chapter –
National MS Society

RE: Request to Display Lawn Signs on Public
Property

Council agreed that Mayor Rustin will contact this group to get more information and will discuss this request further at the next meeting.

JCC on the Palisades

RE: Sukkot Carnival

Council approved the request for the JCC on the Palisades to hold their Sukkot Carnival.

Samaritan Services, Inc.

RE: Request to Set Up Informational Table Outside
Post Office

Mayor Rustin questioned whether Samaritan Services, Inc. required Council permission. Mr. McClure responded that he does not believe that they do as the Post Office is on Federal property. Mayor Rustin then asked whether there are any liability concerns. Council agreed to have the Health Department review this request and provide their recommendation on whether to grant approval for the blood pressure and blood sugar screening.

COMMITTEE REPORTS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

- A. **#R12-313**/ Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Tenafly, New Jersey into a Single Issue of General Improvement Bonds \$6,260,000 in Principal Amount & **#R12-314**/Resolution Determining the Form and Other Details of \$6,260,000 General Improvement Bonds of the Borough of Tenafly, New Jersey and Providing for Their Sale

C. Warms expressed his concern that the bonds will not be callable before their maturity and asked that the clause precluding the flexibility to call be omitted. Borough Administrator Thompson-Chin responded that she will bring his concerns to the Bond Counsel and Auditor.

Motion by C. Warms, second by C. Zinna that the #R12-313 and #R12-314 be approved.

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

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

All members present voting in favor, #R12-313 and #R12-314 were approved.

MAYOR'S REMARKS:

Environmental Commission Appointment – John Purdy

Mayor Rustin advised that he is appointing John Purdy to the Environmental Commission and remarked that Tenafly is very fortunate to have a person of this stature to serve.

Hsiu-Chi Chang, 48 Cortlandt Place, requested to speak and Mayor Rustin recognized him. Mr. Chang advised that he received a letter stating that his property will be subject to a zoning change and expressed his disapproval of such a change. Mayor Rustin informed Mr. Chang that an ordinance had not been put into place yet and there will be a special meeting on October 23rd to discuss this proposed zoning change.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 12-318

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. Collective Bargaining
 - 1. Contract Negotiations Update
 - 2. Status of Pending PBA Grievances

- B. Personnel
 - 1. Anti-Nepotism Policy

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. Barzelatto, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 8:54 p.m.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk