

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, MAY 24, 2016

PRESENT: Mayor Rustin and Councilmembers Anthony Barzelatto, Maxim Basch, Daniel Park, Paul Stefanowicz and Mark Zinna

ABSENT: Councilmember Shama Haider

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

At 8:12 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 Rustin

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

BE IT RESOLVED that the Minutes of the May 3, 2016 Work Session, May 10, 2016 Regular Meeting, and May 10, 2016 Closed Session (not to be released) are approved.

REVISIONS TO AGENDA:

There were no revisions to the agenda.

PUBLIC COMMENTS

Daniel Kornfeld – 79 Buff Road – stated that the town advised him that they need to put a sewer line at the rear of his property several years ago. He added that a tree fell down in the back of his property and broke part of his fence. Mr. Kornfeld requested removal of the sewer line and maintenance of trees in the right of way.

Joy Kronweb – 45 Magnolia Avenue – commented that 2 trees were removed by PSE&G and the DPW. She explained that she was not notified that the trees needed to be removed. She added that she called the Borough and was advised that it was PSE&G's decision to remove the trees due to hindering power lines. Ms. Kronweb stated that she is concerned because she was not notified. She informed that the trees were replaced today.

Mayor Rustin noted that he will have a representative from Public Service contract her. Mrs. Thompson-Chin advised that the DPW only removed the stumps and that the trees were removed by PSE&G.

Michael Greeley – 158 Riveredge Road – spoke on behalf of PBA 376 in an effort to settle the contract dispute. He stated that for 3 years there have not been any raises, benefits have decreased and medical payments have increased. Sgt. Greeley commented that an additional 1.5% of their salaries are going towards their pensions to help subsidize the Borough's responsibility to the state. He expressed that 3 years of losses have tested the department financially and professionally. Sgt. Greeley advised that they have been without a contract for 6 months and the members of PBA 376 feel undervalued and demoralized. He also added that employees deserve fair treatment and raises. Sgt. Greeley urged the Council to reconsider their position and go back to the table to settle the contract.

Mark Somerville – 9 Tenafly Road – advised that police performance declines when they lose in arbitration.

Bruce Pfeffer – spoke on behalf of his daughter, Erin who lives at 15 Pilgrim Court. Mr. Pfeffer stated that on November 2014, on Thanksgiving Day, Lt. Lawrance and Officer Smaragdakis saved his life from choking. Mr. Pfeffer added that both officers visited him in the hospital. He commented that the officers are an invaluable group of people, who makes Tenafly safe. Mr. Pfeffer added that he feels indebted and grateful to have his daughter live in Tenafly. In hearing about the negotiations, he felt it was in his duty to give a personal story.

Dan Siegel – 67 Lylewood Drive – former Lieutenant – informed that he was in charge of 2 contract committees. He noted that during that time, the Council never negotiated in good faith. He stated that the police have taken very dramatic financial hits.

George Prussin – 1 Hastings Drive – noted that he has been a resident for over 30 years and is a supporter of the town, both financially and emotionally. He stated that residents moved into Tenafly for the security and the educational system. He urged the Council to deal in good faith and not to bring an outside counsel for the negotiations.

Gloria Layne – 64 North Lyle Avenue – noted that her husband was the former chief. She stated that she is aware of what the police go through. Ms. Layne explained that to allow the police to go through 3 years without a raise is unconscionable.

Mayor Rustin responded that the word that disturbs him the most, which that has been used is ‘good faith’. He added that there is a significant amount of misinformation. Mayor Rustin informed that the Police did not deserve 3 zeros. He emphasized that the Borough has an outstanding force and informed that negotiations do not reflect of the opinion of the police force. The Mayor stated that the PBA brings in an attorney that works statewide and that it is not a poor decision for the governing body to bring in an outside counsel. He urged the PBA to look at their leadership. There is a 2% cap and he added that there is a fiduciary responsibility to tax payers. The Mayor stated that proposals were provided to the Council, but then a grievance was filed by the PBA. Mayor Rustin advised that they cannot negotiate until the grievance is resolved. He informed that the Council would like to give a raise; however a proposal needs to be provided with an understanding of the impact. The Mayor added that Council was ready to negotiate, until the grievance was filed. He stated that Council does not want morale to be low, money had been spent on a new headquarters, and the switch to 12-hour shifts was authorized.

CONSENT AGENDA

#R16-194/Approve Expenditures as of May 18, 2016

#R16-195/Support *Click It or Ticket* 2016

#R16-196/Authorize Execution of Developer’s Agreement – Tenafly Diner

#R16-197/Authorize Refund – Tax Court Judgment – Block 3003, Lot 2 – Corelogic

#R16-198/Authorize Refund – Tax Court Judgment – Block 3003, Lot 2

#R16-199/Authorize Refund – Commuter Parking – Rodriguez

#R16-200/Authorize Execution of Certificate of Exemption

#R16-201/Approve Raffle Application – RA1138

#R16-202/Authorize Tree Mitigation Escrow Refund – 233 Engle Street

#R16-203/Authorize Tree Mitigation Escrow Refund – 29 Farview Road

#R16-204/Authorize Refunds – Recreation Department – Various

#R16-205/Authorize Purchase of Edmunds Software System

#R16-206/Approve Shared Services Agreement with the Tenafly Board of Education – Telephone System Upgrade

Motion by C. Zinna, second by C. Basch that the Consent Agenda be approved.

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

C. Barzelatto:	aye	C. Park:	aye
C. Basch:	aye	C. Stefanowicz:	aye
C. Haider:	absent	C. Zinna:	aye (abstained on #R16-204)

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

Mayor Rustin explained that the New Jersey League of Municipalities sponsored an essay contest, in which there were 3 scholarship recipients. He stated that Tenafly had one of the 3 winners and presented the \$1000.00 scholarship check to Rebecca Vitenzon.

PUBLIC HEARINGS

- **ORDINANCES 16-08 & 16-09**

The Borough Clerk read into the record:

The following ordinances published herewith were first read by title only on May 10, 2016, and posted on the bulletin board of the lobby of the municipal center.

ORDINANCE NO. 16-08 - AN ORDINANCE AMENDING CHAPTER VII, SECTION 40.1.b.5(b) OF THE REVISED GENERAL CODE OF THE BOROUGH OF TENAFLY REGULATING THE USE OF MUNICIPAL PARKING LOT “F”

ORDINANCE NO. 16-09 - AN ORDINANCE REPEALING ORDINANCE 08-25 CREATING A SPECIAL IMPROVEMENT DISTRICT AND DELETING CHAPTER XXIX OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY

Public Comments on Ordinances 16-08 and 16-09
No one came forward.

Motion by C. Zinna, second by C. Stefanowicz that Ordinances 16-08 and 16-09 be passed on second and final reading and are hereby adopted and notice of same shall be published according to law.

On a roll call, the vote for Ordinances 16-08 and 16-09 was recorded as follows:

C. Barzelatto:	absent	C. Park:	aye
C. Basch:	aye	C. Stefanowicz:	aye
C. Haider:	absent	C. Zinna:	aye

COMMITTEE REPORTS:

Councilmember Stefanowicz

The HPC is offering centennial signs, which form the backdrop to the historic railroad station. He advised that the sign creates awareness of importance of the buildings.

The Welcome Committee met last week. He noted that they are preparing for the new resident event as well as working on recruiting volunteers.

Councilmember Basch

Senior Citizens Committee will review the draft transportation policy on June 6th. C. Basch noted that they are working to finish the job description for the services coordinator. He added that trustees are requesting a staff member with medical knowledge to help at the senior center.

Mayor Rustin

Mayor Rustin informed that he attended a planning committee meeting for the Bergen County Care Services Fair for seniors, children, veterans, and those with special needs. The fair is scheduled to take place next year. He noted that it is going to be an interesting project.

NEW BUSINESS:

#R16-207/Confirm Issuance of Refunds – Special Improvement District Property Owners.

C. Stefanowicz moved to adopt Resolution #16-207. Seconded by C. Zinna:

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

C. Barzelatto:	absent	C. Park:	aye
C. Basch:	aye	C. Stefanowicz:	aye
C. Haider:	aye	C. Zinna:	aye

FOR THE GOOD OF THE ORDER:

- C. Basch recommended looking at the parking lots for an overall solution. The Mayor informed that it will be discussed at a future work session.
- C. Basch would like a study done of the swim club area to determine if it can be built or converted into a park. C. Zinna stated that when the community center was first discussed, the engineer was asked if something could be built at the swim club, which he advised that something could be built there. C. Zinna advised that the community center report will be provided in June, which will be reviewed by the engineer.
- C. Basch stated that power companies cannot cut down trees. Mrs. Thompson-Chin reported that PSE&G has contractors, which handle tree trimming and during the course of the trimming, the trees in question on Magnolia Avenue were discovered to be dead. PSE&G cut down the trees as they posed a safety hazard and DPW removed the stumps. C. Zinna suggested that PSE&G attend a work session to provide insight on their policies.

- C. Basch stated that the trees need to be maintained at the property next to 79 Buff Road. Mrs. Thompson-Chin noted that a survey proved that the tree that broke the fence at 79 Buff Road was on private property.

MAYOR'S REMARKS

Mayor Rustin stated that what has gone on is unfortunate and is not serving anyone well. He noted that everyone wants the police department to be happy, but that the Borough is burdened and limited by a 2% cap. Mayor Rustin receives complaints that the property taxes are too high. There needs to be a balance of the both. He advised that the Governing Body is prepared to move forward in good faith. The Borough cannot be told that they cannot use a professional attorney and the PBA uses a professional attorney, as well. Mayor Rustin will reach out to the PBA president. The Mayor expressed that in this day and age people are free to go wherever they want to better themselves, but the Governing Body will do the best that they can do and advised that there is no ill will from this board. Mayor Rustin commented that the PBA chose to go to an arbitrator and the decision did not go well for them.

Mrs. Thompson-Chin highlighted that it is important to note that having to pay additional contributions to pension and health insurance, is not a local decision. She noted that it is a state decision affecting all municipal employees state-wide.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Zinna, second by C. Park, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Lissette Aportela,
MPA, RMC, CMC
Borough Clerk