

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, MARCH 4, 2014

At 7:36 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 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: Anthony Barzelatto (arrived at 8:22 p.m.), Maxim Basch, Daniel Park, Jon Warms (arrived at 7:37 p.m.), Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Council member Nadia LaMastra

PUBLIC COMMENT:

Mayor Rustin read the following statement:

Public Comments: A total of 15 minutes has been allocated for this purpose. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda below. Citizens must give their names and addresses when recognized to speak. Large groups are urged to select someone to represent them. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Ann Ellinson – 57 Oak Ave – requested permission for a POD in her driveway for about 5 weeks since she is moving.

Council tentatively approved the POD for placement. Mayor Rustin noted that he will speak with the Construction Official regarding this matter and directed Ms. Ellinson to call the Building Department tomorrow afternoon.

Norman Kinel – 4 North Summit Street – referenced the letter on the agenda indicating that the BMW is using the side streets as an as employee parking lot and to park their inventory. He noted that the recent snowstorms have made matters worse and have made the area dangerous for the residents, drivers, and pedestrians.

Mayor Rustin advised that he called the general manager of Tenafly BMW after reading the letter. He stated that the letter will be forwarded to the Police Department to review the situation and make a recommendation on the parking regulations. He assured the residents present that the governing body will take care of this situation as quickly as possible. He stated that he will ask the zoning official to review the developer's agreement as well.

Fred Robins – Sunset Lane – provided petition collected by Peaceful Commons indicating that the signer are opposed to the improvements and artificial turf at Geissinger Field. He said that the group is seeking representation in any committee that is involved in the scheduling of events and improvements at the field.

Mayor Rustin commented that any issues that arise from the field will be addressed immediately and the Board of Education is aware of concerns of the neighbors. The Board of Education is implementing the project and there is no committee regarding this project.

C. Zinna added that last year in the Joint Use Committee the focus of the project is to make it as least obtrusive to the neighbors.

Albert Franco – 2 North Brae Court – inquired how new lighting systems will mitigation the neighbors' concerns.

Mayor Rustin explained the new technology involving directional lights. He commented that the Board of Education will select a lighting and sound system will be chosen to minimize any spill over outside the field.

Mark Feldman-133 Lylewood Drive – commented that he has been involved in many disputes in the Borough of Tenafly, believed that the Recreation Board should be involved in the implementation of programs in Geissinger Field and wished that the Board of Education would hold more open discussions about the project. He inquired if any action has been taken regarding the use of open space funds and expressed concerns of the various aspects of implementation of the CERT program. Mayor Rustin responded that while Mr. Feldman was away in Thailand for 3 to 4 months, many issues regarding the field were addressed in the Board of Education meetings and advised that the Recreation Board does not oversee the use of Geissinger Field. Mayor Rustin commented that a subcommittee had been formed to discuss issues regarding the open space trust fund in January.

TO BE CONSIDERED

Solid Waste Collection Bid – Discussion with Peter T. Roselle, President, Waste Industries

Mrs. Thompson-Chin provided background information on the bid process for solid waste collection and noted that the current contract was extended as the original bids had been rejected as Council decided to maintain the current level of service of twice a week rear yard collection. The bid process for solid waste is extensive bid process and standardized by NJDEP. Based on the results of the second round of bids, she is recommending that Council accept the 5 year option. Mr. Roselle was asked to attend tonight's meeting because he was the lowest bidder.

Mr. Roselle explained the services provided by Waste Industries, which services almost 20 municipalities in the state. He noted that Tenafly is truly a rear yard pick up municipality due to the demographics of the community. To ensure quality of service, there are route managers assigned to the municipality.

Mayor Rustin commented that the overall sense from community is that residents are happy with the services provided. C. Basch asked Mr. Roselle how he can challenge his company to do better. Mr. Roselle responded that a primary goal is to have all collections completed before school buses begin making their afternoon rounds.

Mr. McClure inquired if the issues with collection at the Plaza have been resolved. Mr. Roselle explained that the issue with the Plaza involves the compactor in the building. It is being worked on and he hope to have it resolved within the next month since the Plaza is on a monthly service contract with a private provider.

2014 Budget – Review by Borough Auditor

Paul Lerch, Borough Auditor advised Council that the finalized 2014 budget incorporates a \$70 increase in the municipal portion of the property taxes on an average home. He commented that the 2014 budget is better than the 2012 budget and is in line with the 2013 budget. Mr. Lerch explained the cap bank and advised that Tenafly is well below what state permits for spending. The appropriation increase is 1% and the tax increase is 1.1%. Mr. Lerch explained how nominal, moderate increases are what works best and provides for future stability. The 2014 budget is a positive budget. He recommended that the Borough conduct a 2015 budget forecast to make sure there aren't any anomalies. Council concurred and authorized the Mr. Lerch to prepare the 2015 budget forecast. With regards to surplus, the evaluation of the Borough's surplus will be finalized within the next day. He commended the Borough for its conservative with use of surplus, which also sets up for stability. He stated that the 2014 budget is a good budget and the Borough can introduce it on March 25th.

CFO's Budget Overview

CFO, Mr. Vinci explained that although the costs associated with the new garbage contract are higher, disposal fees reduce some of increase. The budget will be updated to account for an increase of \$70,000 for garbage collection. He highlighted that municipal budgets are salary driven and the Borough's salary and fringes expenses account for 53% of the budget.

Canvassing & Soliciting Ordinance

Mrs. Thompson-Chin reviewed the memo from Chief Chamberlain, who recommended changing the hours solicitation and canvassing is permitted based on complaints received from residents. Mr. McClure confirmed that it is a good idea to change the hours. Council authorized that an ordinance be prepared to change the hours for all solicitation to be permitted between the hours of 9am to 6pm.

ADA Parking Ordinance Amendments

Mrs. Thompson-Chin referenced an update to the handicapped parking section of the Borough Code based on an assessment conducted by the Borough Engineer. Council authorized that an ordinance incorporating this update be prepared for introduction.

Community Electronic Information Signage

Council reviewed the proposal and determined that there no interest in pursuing the offer due to the amount of advertisement involved.

Endorsing Resolution – Community Development Grant for United Way

Mayor Rustin explained that the endorsing resolution is to assist the United Way obtain a grant for the Tenaflly Road housing. Council authorized the resolution to be listed for the March 11th consent agenda.

ADMINISTRATOR’S REPORT

- With regard to the DPW Building Replacement Project, Mrs. Thompson-Chin advised that the kick off meeting with the architect was held last week who will design the building according to the needs of the DPW’s operations.
- Mrs. Thompson-Chin reported that the Hazard Mitigation Grant deadline was extended to March 21st, but Maser will submit the application in advance of the deadline.
- Mrs. Thompson-Chin advised that she will attend the Bergen County Open Trust Fund Grant public hearing for the application regarding Griffin Park on March 17th.
- Mrs. Thompson-Chin provided a status update on the FEMA reimbursement for Hurricane Sandy. Of the \$286,538.15 due, the Borough has received \$152,292.42 to date. The entire reimbursement process is done online through njemgrants.com. Of the current reimbursement, \$106,604.61 has been allocated to the Storm Trust, \$7,310 has allocated for repairs to the Dunham House, and \$38,377.87 is being held for use toward the generator project. The remaining balance is earmarked for the generator project and the purchase of emergency shelter supplies.
- Council determined not to pursue with the Energy Aggregation program. Mrs. Thompson-Chin will notify the Riverside Co-Op.
- Mrs. Thompson-Chin reported that Maser has prepared the specifications to solicit bids for security cameras in the municipal complex. 5 will be installed in Borough Hall and 5 will be installed outside of the municipal complex. The cameras will be monitored by the police desk. The plan is to have the project completed by June 20th. A resolution will be listed on next week’s consent agenda to solicit bids for the equipment, software, and installation.

CORRESPONDENCE

N. Kinel

RE: Request to Prohibit BMW parking on North Summit Street

This matter was addressed during earlier this evening.

CAP

RE: Sign Request

Council reviewed the request and determined that the lawn signs cannot be placed on public property. However, signs can be placed on private property with the permission of the property owner.

Tenaflly Swim Club

RE: SBA Loan Application

Mr. McClure explained that the Tenaflly Swim Club applied for a disaster relief loan and is seeking for an assignment of the lease as a security for the loan. In order for the Tenaflly Swim Club to receive the loan, the Borough would need to give consent. Council expressed concern if they default on the loan. Mr. McClure explained that in the event of default, the Borough would be subject to the potential of having the SBA designate another party to run the swim club. Council directed the Borough Clerk to contact the Tenaflly Swim Club and have their representative come to a closed session to discuss financials and impact of the loan on lease.

RESOLUTIONS for meeting of March 11, 2014:

- A. Approve Expenditures as of March 5, 2014
- B. Cancel Inactive Trust Accounts
- C. Confirm Green Team Members

C. Warms noted that the list of members of the Green Team is being updated. The corresponding resolution on next week’s consent agenda will reflect the current members.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 14-100.

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. Attorney-Client Privilege
 - 1. Disposition of Borough Owned Property

- B. Personnel
 - 1. Police Department – Employee Status

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 resume the Committee of the Whole meeting.

On a motion from C. Zinna, seconded by C. Warms, and all present voting in favor, the meeting was recessed to the Closed Session in the Committee Room at 9:36 p.m.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Warms, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:01 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk