

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, JUNE 10, 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: Maxim Basch, Nadia LaMastra, Daniel Park, Jon Warms,
Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Councilmember Anthony Barzelatto

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.

Tom Giordano - 12 George Street - voiced his concern over a parent at an away little league game, who assaulted a coach. He questioned whether any action can be taken to have a parent suspended from little league games. Mr. Giordano stated he was told by police that since it is public property, they cannot make force him to leave upcoming games without wrong doing. Mayor Rustin stated a possible solution would be to notify the umpire of the situation and to stall the game until the individual leaves the field. The Mayor further stated, if the individual fails to leave, the team would forfeit the game. Mayor Rustin advised Mr. Giordano that in most cases when the parent is given the option to leave or forfeit, the individual usually leaves. C. Basch added that it would not be fair to penalize the children for the actions of the individual. Mayor Rustin noted that this individual already penalized the team. He further added that there is not much else to do in this situation. Mr. Giordano then questioned whether an ordinance or resolution could be adopted to prevent future situations. The Borough Attorney, Mr. McClure, stated that without due process, the individual would be allowed on the field. He further agreed with the Mayor that the best solution would be to notify the umpire of the situation and delay the game until the individual leaves the field, which he noted is usually a very successful approach.

Joanne Gambrell - Ravine Road - observed three teenagers playing on the soccer field after the lightning whistle went off. She inquired as to who would be responsible for those boys or anyone on the field, in the event that something happens after the lightening whistle goes off. C. LaMastra noted that there is a sign posted warning individuals to leave the field after the lightning whistle blows. The Police Chief stated if they see individuals on the field after the whistle sounds, they will have them leave the field. He further noted that the whistles are not 100% at detecting lightning strikes. The Mayor added that commonsense must prevail. With regards to who is responsible, Mr. McClure stated, it would be a matter for the insurance to look into. Ms. Gambrell also noted the poor condition of the Tenakill Swim Club parking lot. The Mayor stated it is a joint responsibility among the Swim Club and the Board Of Education to maintain the lot.

Mel Lubins - 23 Stonybrook Road - Glad the Borough Engineer is going to come to his home and examine him and his neighbor's property.

TO BE CONSIDERED

DPW Building Contracts and LEED Certification Proposal

Mr. Iovino of Arcari & Ivino presented the proposal on the DPW project and LEED Certification process. The various fees were discussed to make the building LEED certified. Mr. Iovino stated that he would like to run a point system test to see if it is achievable. The Mayor noted the two major questions are whether it can be done and are there payback benefits for having a LEED certified building. Mr. Iovino stated that it is not always definite that there will be a payback. C. Zinna questioned what it would cost to determine if LEED would be worthwhile. Mr. Iovino noted that it would take an estimated \$3,000 to determine if LEED would be an appropriate fit.

C. Basch would like to eliminate some of the costs associated with Arcari & Ivino's and Mr. Hipolit's firm. Mr. Iovino advised Councilman Basch that Mr. Hipolit's firm is in charge of completely different preparation and building functions; therefore no costs can be alleviated to combine projects between firms. C. Park inquired as to whether having a LEED certificate benefits the town. Mr. Hipolit stated that it helps with Sustainable Jersey. Mr. Hipolit advised the Mayor and Council that no one has chosen to do LEED in buildings as of yet. The Mayor noted that there is a fiduciary responsibility to the tax payers and there is no satisfaction out of having a green building, if it does not help with costs.

2014 Micro Resurfacing Program

Mr. Hipolit advised the Mayor and Council that it would be better to go with the state contract, which would allow the Borough greater flexibility in choosing sections and thus will cover a greater paving area. C. Basch questioned the difference between micro paving and regular paving. Mr. Hipolit stated micro resurfacing is a coating on the road, which extends the life of the road by an average of 5 to 8 years and thus greatly helps reduce costs associated with maintenance and upkeep. C. Warms asked if heavily driven roads were candidates for the project. Mr. Hipolit stated that even on highly driven streets, micro resurfacing would be beneficial. Park inquired as to the condition of the sample micro resurfacing on W. Clinton Avenue, after the harsh winter. The Borough Engineer noted that the sample has upheld well. C. Basch questioned the time schedule for the project to be complete. Mr. Hipolit stated he would like it to be complete before school reopens in September.

Proposed Green Acres Application

The Borough Administrator noted that the Borough will be applying for a \$150,000 grant for designing and constructing a custom pavilion at Huyler Park.

School Resource Officer

Mayor Rustin stated he received an email from CAP in support of having a School Resource Officer. C. LaMastra noted that while the description sounded great, she was concerned over funds needed to cover having an officer in the school all day. C. Basch stated that he is opposed to having an officer carry a gun in the school. He questioned whether there is an SRO detective who did not carry a gun. The Police Chief noted that every police officer is required to be armed and therefore he stated is not permitted to have an SRO without a gun. C. Basch noted that he is concerned that a disturbance will escalate with a gun present in the school. The Chief assured him that incidents such as the one Councilman Basch described are low. Furthermore, Police Chief Chamberlain stated that if an incident does occur, someone should be there who can take care of matters immediately. C. LaMastra questioned the attire of the SRO. Chief Chamberlain stated that while the officer will be clearly identifiable, the SRO will be dressed in more casual clothing. Mayor Rustin noted the importance of the SRO being recognizable as an officer. C. LaMastra asked whether having an SRO will impact the DARE program. Chief Chamberlain noted that while the SRO will have other tasks, the SRO could essentially share the duties of the DARE officer as well. C. Warms was concerned with a more relaxed attire for the officer, as he stated it would skew the children's perception on what an officer looks like. C. Basch inquired about the officers carrying a shield. The Chief stated the SRO officer will be very recognizable as police officer within the school. C. Park questioned the length of training for the SRO. The Chief stated that it will take one week for the initial training. C. Zinna asked the Chief about how the logistics work. The Chief noted that he would like SRO ready and into the school by September. C. Park questioned what would happen in the event the officer is absent. Chief Chamberlain advised him that the SRO would not be assigned to a squad, which consists of six officers.

The Borough Administrator stated that the BOE is planning to offer a proposed contribution of \$40,000 annually for three years, however she noted since salary and benefits increase, this amount would not be practical. The Administrator noted that if the proposal were to be issued for one year instead of two or three years, she stated she feels they would be able to move forward in having the SRO positioned in the school. The Administrator would like to issue a counter proposal to accept the first year; however there needs to be a 50% increase for the second and third year. Mayor Rustin noted that he had reached out to four surrounding towns on how they manage the funds for the SRO. He stated that the experience was mixed in the other towns.

Chief Chamberlain stated that the school district is really interested in having the SRO in the school. He added that he thinks it's a bonus for them to improve the relationship with the children as well as improve security. Mayor Rustin stated he also believes that it would be beneficial and reflects well on the community as well. C. Zinna suggested that the Chief and Jewel go back to the school and discuss further on how to proceed. The Chief noted that he does not foresee many individuals volunteering for the position due to the lack of overtime, however if needed he stated, he will assign someone to be an SRO. The Administrator questioned whether becoming an SRO prohibits the officer from taking a position in blue. Chief Chamberlain advised her that the officer would not be restricted to the SRO position.

Request for Use of Tenafly Police Space for Domestic Violence Training

Police Chief Chamberlain stated that A Partnership for Change, Inc. would like for the Borough to donate its training room to hold classes, which will be taught by two women. He noted that the classes the police department go through, allows for a different appreciation for the victims experience. He added it helps to enlighten officers of victim's pain. The Mayor stated since it will also be held at the Borough, time will not be lost traveling.

Updated Personnel Manual

Mayor Rustin noted that a new labor attorney was hired to redo the personnel manual, which is 177 pages in length. The Administrator added that it will be beneficial to employees. C. Basch questioned whether it can be electronic. The Administrator stated that she will consider going electronic, as she does not see it advantageous spending money for paper copies.

9/11 Event

Mayor Rustin inquired whether council wished to participate in 9/11 events. The Council agreed that it would be a good idea to partake.

ADMINISTRATOR'S REPORT

The Administrator discussed the National Recreation and Park Association Directors School Enrollment for Recreation Director, Matt Mercurio. The Administrator noted that Mr. Mercurio hopes the Recreation Trust Funds would be able cover the costs of his enrollment. She added that Mr. Mercurio has introduced several positive changes to the Borough's seasonal recreation and summer camp programs. Council approved the request.

The Administrator gave an update on the soccer cage lighting, which will be discussed in further detail at the June 24th Work Session.

Mayor Rustin suggested adding a precautionary statement to the lightning sign, which would say to leave the field, even if the sirens do not sound. C. LaMastra noted that the signs are by the sirens and not around the field. C. Warms stated that he would like the field checked by the Borough Engineer in an effort to see if the rods are grounded.

C. LaMastra questioned the progress of Froggy Park. Mayor Rustin noted that work on the park started last week.

CORRESPONDENCE

NJLM RE: 99th Annual Conference
All were in favor of attending the conference and selected Caesars as the lodging.

Board of Chosen Freeholders RE: Stigma Free Zone
Stigma Free Zones help ensure that residents suffering from mental illness can live a full life, with the support of their community, without stigma or judgment. A resolution of support will be listed for the June 17th agenda.

RESOLUTIONS for meeting of June 17, 2014:

- A. Approve Expenditures as of June 12, 2014
- B. Execute Agreement with County of Bergen – 2014-2016 Snow Plowing Program
- C. Authorize Renewal of Plenary Retail Consumption, Plenary Retail Distribution, and Club Liquor Licenses - 2014-2015 Term
- D. Authorize Refunds – Recreation Department – Various
- E. Authorize Refunds – Recreation Department – Fingerprint Fees
- F. Approve Outdoor Seating Applications – Various
- G. Authorize Cancellation of Checks – Tenafly Municipal Court Bail Account
- H. Appoint Representatives to the Community Development Regional Committee
- I. Appoint Representatives to the Open Space Trust Municipal Program Regional Committee.

- J. Authorize Renewal of Plenary Retail Distribution License Pursuant to Special Ruling – Amin Vandana J – 0261-44-014-005
- K. Close Inactive Trust Accounts
- L. Authorize Escrow Refund – 22 Somerset Road
- M. Confirm Deposit of Online Payments – Animal Control Trust

OLD BUSINESS

None.

NEW BUSINESS

None.

FOR THE GOOD OF THE ORDER

- Salary & Wage Forecast (C. Basch)
C. Zinna stated that he would like to know the high-level salary for 2015 DPW workers. He would also like to know what their contract authorizes. C. Basch is also interested in the DPW contracts. This item will be further discussed at the June 17th Closed Session.
- Mayor Rustin noted that there is going to be a special meeting with COAH between himself and Council representatives Zinna and Warmes.
- C. Basch questioned if any infractions were enforceable with regards to keeping the parent off the field at little league games. Mayor Rustin stated that the gentlemen did come to the meeting on behalf of the little league. He believes it will be handled properly, as similar situations had occurred in the town before and been resolved. C. LaMastra agreed with the Mayor's earlier suggestion of telling the umpire to tell the gentlemen to leave. The Mayor added despite where the game is held, the league always supports what is best for the game.
- Mayor Rustin suggested with regards to the swim club parking lot, a letter be sent BOE and swim club instructing them to come up with 25% of the repair cost. He recommended giving them 60 to 90 days to come up with a solution. Another alternative the Mayor suggested was to have the Borough pay for the repairs and the BOE and swim club would have to repay the Borough. Mayor Rustin noted that if the swim club cannot afford the repairs, then it's at the Borough's discretion on whether to fix the lot or not. Mr. McClure stated that the BOE entered into an agreement with the swim clubs regarding maintenance of the parking lot.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. LaMastra, seconded by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC, CMC
Borough Clerk