

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, JANUARY 7, 2014

At 7:04 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. Notice of this meeting by Resolution #13-403 has been sent to the Record, the Suburbanite and Northern Valley Press and has been posted on the public bulletin board in the lobby of the Municipal Center."

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Nadia LaMastra, Daniel Park, Jon Warms, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: Council-Elect Maxim Basch

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 14-44.

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

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. LaMastra, seconded by C. Zinna, and all present voting in favor, the meeting was recessed to the Closed Session in the Committee Room at 7:05 p.m.

The Committee of the Whole Meeting resumed at 8:27 p.m.

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.

Johanne Gambrell – Ravine Road – stated that she does not understand vote on the BID banners, inquired if there was a hydrology report for the Nature Center, and commented that she does not understand why an agreement is required for the referendum if the results are non-binding.

The Borough Clerk explained the difference between legislation, such as an ordinance and resolution that requires a formal vote, and the determination if there was consensus among a majority of Council. Mayor Rustin responded that the Nature Center issue has been very divisive to the community and there needs to be closure. The purpose of the referendum is to get a sense of what the residents want and the purpose of the agreement is to obtain assurance that the parties will move forward one way or another. He further noted that the Borough is waiting to hear back from the Borough Engineer if a hydrology study is actually required.

TO BE CONSIDERED

Update on 2013 Revenue Collections & Estimates for 2014 by CFO G. Vinci

Mr. Vinci explained to Council that the information that had been provided involves preliminary figures. He advised that state sources account for 25% of revenue. He highlighted that there was a 54.5% decrease in revenue received from fines and court costs. A significant expenditure in the budget is the BCUA charges, but the Borough has not received the 2014 rate to date. Mr. Vinci noted that for 2014, the proposed expenditure changes are minimal. The main increases being requested for 2014 involve legal expenses, stipends for the volunteer fire department and ambulance, health insurance and pension.

C. LaMastra requested a current report on the status of the open space trust fund. Mr. Vinci advised that he will prepare a report for Council's review.

2014 Budget Hearings Schedule

Mr. Vinci advised Council that the state amended the deadlines for the introduction and adoption of budgets. Based on the extension and the Council meeting schedule, the budget will be introduced on March 25th and scheduled for adoption on April 29th. The Borough Administrator will distribute the budget to Council on February 4th. Council determined to hold the budget meeting hearings with the departments on Saturday, February 8th and 15th from 9am to 1pm. The capital budget will be reviewed on Tuesday, February 18th and the auditor will attend the March 4th work session. A resolution to schedule these meetings will be listed on the January 14th consent agenda.

Junior Firefighters Program

Mr. McClure advised that he has conducted research on the issue of insurance coverage. He explained that the state legislature authorized the creation of junior firefighter auxiliary starting at 14 years of age and that a municipality can purchase additional insurance for the program. He spoke with Brian Eifert and the Borough's current coverage does not include a junior program, but the Borough can purchase additional coverage for this program. Council authorized the Borough Attorney to draft the ordinance to establish the program for introduction on January 14th and to obtain the additional insurance coverage.

BCUA Wastewater Management Plan

Mrs. Thompson-Chin explained that the BCUA has submitted a letter seeking the Borough's cooperation in the update of its wastewater management plan as required by the NJDEP. She noted that the Borough Engineer reviewed the letter and recommended that the Borough pass a resolution to join the program. Council authorized that the resolution be listed on the January 14th consent agenda.

Student Liaison to the HPC

Mayor Rustin commented that the HPC has received interest from a student to participate, but the membership is specifically defined in the Borough code. To permit a student liaison an amending ordinance is required. Council authorized that an ordinance amending the HPC membership to permit a student liaison be introduced on January 14th.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin noted that as a requirement to the grant received for the purchase of generators, a spending plan must be submitted to the State Office of Emergency Management by Thursday, January 16, 2014. The Borough Engineer will prepare the plan for submission. A resolution will be listed for the January 14th to formalize the authorization of the Borough Engineer to prepare the plan. She noted that in addition to the grant in excess of \$200,000, a portion of the FEMA reimbursement from Superstorm Sandy and funding from the 2014 capital budget will cover the expenditures associated with the generator project.

Mrs. Thompson-Chin reported that the Borough is currently using the services of John McManus as the electrical sub-code official. She and the Construction Official interviewed candidates for a permanent appointment and both concluded that Mr. McManus was the best candidate for the position based on experience, workload, familiarity with Tenafly, and schedule availability. A resolution authorizing his permanent appointment will be listed for the January 14th consent agenda. Mr. McManus will attend the pre-meeting for a meet and greet with Council.

CORRESPONDENCE

S. Gaitman

RE: False Alarm Fee

Council reviewed the request for the waiver of the false alarm fee and denied the waiver. The Borough Clerk will notify the resident.

American Cancer Society RE: Annual GWB Challenge – June 8, 2014
Council requested that the Borough Clerk obtain a copy of the route for the event for the Police Chief to review.

NCJWBCS RE: Proclamation Request
Council directed the Borough Clerk to prepare the human trafficking awareness proclamation. Mayor Rustin will contact the organization to have a member present to receive the proclamation.

Barbera Family RE: No Parking Request – Chestnut Street
Council directed the Borough Administrator to have the Police Chief review the request and provide a recommendation.

S. Sherman RE: Thank You letter - DPW
Council acknowledged the letter and requested the Borough Administrator to forward the letter to DPW Director Culvert.

RESOLUTIONS for meeting of January 14, 2014:

- A. Approve Expenditures as of January 8, 2014
- B. Execute Developer's Agreement – Friends of Grace Seniors, Inc
- C. Authorize Refund – Planning Board Escrow Account PB#1-13-09
- D. Authorize Refunds – County Tax Board Judgments – 2013 – Various
- E. Approve Raffle Applications – RA 1066 & RA 1067
- F. Authorize Expenditure of Affordable Housing Trust Fund - The Buzak Law Group, LLC
- G. Authorize Expenditure of Affordable Housing Trust Fund - Sokol, Behot & Fiorenzo
- H. Authorize Expenditure of Affordable Housing Trust Fund - Burgis Associates, Inc.

OLD BUSINESS

C. LaMastra recommended that the open space recreation trust fund subcommittee include representatives from the Recreation Board, the Historic Preservation Commission and the Environmental Commission. Council concurred with the recommendation and noted that these boards assign 2 representatives from each of their groups.

FOR THE GOOD OF THE ORDER

C. Barzelatto inquired about the status of employee evaluations. Mrs. Thompson-Chin responded that the Borough held off on conducting evaluations last year as personnel manual was structured. She noted that the labor attorney was impressed with the Borough's evaluation form and had recommended to keep using the form. Evaluations will resume this year. C. Barzelatto requested that the Council have a discussion on drug testing of employees. Mrs. Thompson-Chin noted that the DPW drivers are tested as required by the Department of Transportation for CDL drivers. C. Barzelatto clarified that he recommends expanding it to all Borough employees.

C. Barzelatto advised that a portion of the February 4th work session will be dedicated to an update on OEM activities and an update on the CERT program.

C. Zinna highlighted that a couple of issues raised at last month's meeting with the Senior Citizens Services Committee involved the need for a new center and more senior housing. He recommended that Council review the concept of having a private developer rebuild senior center and build senior housing above the center. Council requested that the Borough Administrator arrange to have the Borough Planner and Borough Engineer to attend a work session to discuss the concept.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. LaMastra, second by C. Warms, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk