

Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, FEBRUARY 4, 2014

At 7:33 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 7:58 p.m.), Maxim Basch (arrived at 7:34 p.m.), Nadia LaMastra, Daniel Park, Jon Warms, Mark Zinna

Borough Administrator: Jewel Thompson-Chin

Borough Attorney: William R. McClure, Esq.

Absent: None

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 – 15 Ravine Road – inquired about the consensus arrived regarding the BID banners and how is consensus obtained.

Mayor Rustin explained that formal action was not required regarding the banners. Decisions regarding consensus are do not under the auspices of Roberts Rules. Roberts Rules are parliamentary procedures on how to conduct a meeting. Mayor Rustin explained the role of the chair of the meeting and noted that the Borough Clerk and Borough Attorney make sure the governing body stay on track. Mayor Rustin advised that the Borough Attorney and Borough Clerk have previously explained that the matter regarding the banners did not need a resolution or ordinance.

Mr. McClure confirmed that only way the governing body acts is through a formal vote on a resolution or an ordinance. The banners are under the authority of the BID.

TO BE CONSIDERED

Proposed Energy Aggregation Program – presentation by Robert Chilton, Executive V.P., Gabel Associates

Mr. Chilton stated that Gabel Associates has successfully implemented a government energy aggregation program over the last 18 months. A municipality passes an ordinance to put residents in a large buying group. This program is subject to the rules and regulations promulgated under the Board of Public Utilities. Gabel Associates conducts an outreach and education process by inviting residents to presentation. The firm develops the bid documents and conducts the bid for power supply. The bid specs and master form of contract are reviewed by Board of Public Utilities for compliance. Once the bid documents are finalized, they are released for at least 3 weeks. Mr. Chilton noted that a municipality cannot award a contract unless price is less than utility charge. He described how every residential customer, except those that already have a 3rd party supplier are in the eligibility pool. The bid seeks 2-3 different contract terms for a fixed price. Municipalities have experienced a 9-15% savings. If the municipality awards a contract, the next step is to go through an opt-out process. A letter gets sent out to residents explaining particulars of deal and they are given 30 day period to opt out, via mail, email or phone call. After 30 days those who haven't opted out are enrolled into the program. The 3rd party supplier will bill through PSEG, so residents still receive one bill. The program is only for power supply as the delivery supply is still

provided through PSEG. Once enrolled, PSEG also sends a confirmation letter. Residents can opt out at any time with no penalties. The purpose of the program is to purchase the supply in bulk. The price won't change for the length of the contract. Gabel Associates have performed this service to 7 towns in New Jersey and is currently working with Little Ferry. The winning supplier pays for the consultant only if contract is awarded. There is no expense to the municipality.

Council discussed the notice and education component. The Borough Administrator will address Council's concerns at the Riverside Co-Op meeting and will seek to obtain clear steps and time frames regarding this process.

DPW Architectural Building Plan Contract Award

Mrs. Thompson-Chin advised that she and the DPW Director, Mr. Culvert reviewed the proposals for architectural services for the renovation of the DPW building and have recommended that a contract be awarded to Arcari & Iovino Architects, P.C. Of all the proposals submitted this firm is the most qualified and provided the lowest quote. A resolution awarding the contract will be listed for the February 11th Consent Agenda.

OEM Update on CERT

With regards to the impending storm, C. Barzelatto advised that a state of emergency has been declared and all state offices are closed tomorrow. He is recommending that the schools be closed as well as Mt. Carmel. Shelters at the McCandless Room, Senior Center, and Mt. Carmel are in place as long as there is no loss of power. The forecast is 4-8 inches of snow with ¼ to ½ inch of ice on top. He advised that on Presidents Day, he will conduct an onsite inspection at the Presbyterian Church to review if can be a Red Cross shelter.

C. Barzelatto explained the duties associated with the Office of Emergency Management. He noted that CERT is a national citizen corps program that requires volunteers to undergo structured training and a practical exam. The purpose of the CERT members is to provide help for the professionals responding to emergencies. They can also be used to help with crowd control at major events, such as the fireworks. He has presented the program to the Police Department, Fire Department and TVAC, who fully support the program. At this point, he needs approval from the governing body. If the program is successfully initiated, it will be evaluated by the state police who will donate a trailer, supplies, and \$1500. The consensus of Council was to move forward and the Borough Attorney was authorized to draft an ordinance for further review.

ADMINISTRATOR'S REPORT

Mrs. Thompson-Chin reported that the Borough has received proposals from two vendors, Garden State Fireworks, Inc. and International Fireworks for the 2014 fireworks display. Based on her review of the proposals, Mrs. Thompson-Chin recommended that the governing body award the 2014 contract to International Fireworks. A resolution awarding the contract will be listed for the February 11th consent agenda.

Mrs. Thompson-Chin advised Council that their budget books are available for pick up as the first hearing date will be this Saturday.

She highlighted that the submission of solid waste bids is scheduled for Friday, February 7, 2014 at 11:00 am. Seven prospective bidders have picked up bid packages to date.

Council recessed the meeting at 9:11 p.m. and resumed at 9:16 p.m.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 14-75.

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. Personnel
 - 1. Police Department – Employee Status
- B. Lease of Property
 - 1. 5 South Summit Street

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. Park, and all present voting in favor, the meeting was recessed to the Closed Session in the Committee Room at 9:18 p.m.

The Committee of the Whole Meeting resumed at 10:15 p.m.

RESOLUTIONS for meeting of February 11, 2014:

- A. Approve Expenditures as of February 5, 2014
- B. Amend 2014 Meeting Schedule
- C. Support No Passing Zone on Route 9W
- D. Authorize Refund – Escrow Account PB#1-13-15
- E. Authorize Refund – Escrow Account PB#1-13-14
- F. Authorize Refunds – 2013 County Tax Board Judgment – Various
- G. Authorize 2013 Appropriation Reserve Line Item Transfers
- H. Authorize Tree Mitigation Escrow Refund – 47 Homestead Road
- I. Authorize New Construction and Soil Moving Escrow Refund – 36 Oak Street
- J. Approve LOSAP Certification List – Tenafly Fire Department
- K. Authorize Refunds – 2013 Tax Court Judgment - Various

OLD BUSINESS

C. Zinna noted that the referendum drafting committee will have their first meeting on Monday, February 10, 2014 at 7:30 p.m.

C. LaMastra requested a clarification on the nurse’s hours, specifically when the nurse is onsite at Borough Hall.

NEW BUSINESS

C. LaMastra requested that DPW revisit its plowing operations. With these accumulating storms, the plows add snow after sidewalk has been cleared, which makes it difficult for the elderly to have snow chiseled out. Mrs. Thompson-Chin will speak with Mr. Culvert.

FOR THE GOOD OF THE ORDER

C. Warms requested that a resolution be listed on next consent agenda urging the legislature to renew the interest arbitration law.

Mayor Rustin reminded Council of Mr. Culvert’s presentation at the Chamber of Commerce meeting tomorrow. The wake and funeral for former Councilman Bill Parmer will be held on Thursday and Friday.

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Barzelatto, second by C. Basch, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:38 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC
Borough Clerk