

# **Borough of Tenafly**

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, December 7, 2010

The meeting was called to order at 7:31 P.M. with the reading of the Open Public Meetings Act statement by Mayor Rustin.

Present: Mayor Peter S. Rustin

Council members: Anthony Barzelatto, Nadia LaMastra, Michael Lattif, Patrick J. Rouse, Jon Warms

Borough Administrator: Jewel Thompson-Chin  
Borough Attorney: William R. McClure, Esq.  
Council-Elect: Barry Honig, Martha Kerge.

Absent: Council member Joseph McDermott.

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."

Ernest Kollitidies – 161 East Clinton Avenue – discussed assessing manpower needs during lean times and the need to reorganize departments to reduce costs by 10%. He requested that Council look at 10% reductions across the board.

Johanna Gambrill – 15 Ravine Road – commented on an article regarding the light rail letter to Governor Christie where the Mayor was quoted as being unable to obtain a consensus. Mayor Rustin clarified that there has been no consensus at this point because the Council needed to review the letter, which is what taking place tonight. She requested information on what will be discussed regarding the Swim Club during Closed Session. Mr. McClure advised that Council will discuss potential changes, but cannot provide any details at this time.

Martha Kovin – no address provided – stated that the Mayor and Council will look foolish if no action is taken on the results of the referendum, referenced a Wall Street

Journal article from the previous weekend, and requested that the letter include a recommendation to rehabilitate the current routes to New York City.

Robert Obernauer – 323 Tenafly Road – cited a quote in last week’s newspaper, stated he never expressed hatred towards Mr. Mottola and never used the term harassment. He explained his issue involved selective enforcement and that he said his peace and will not pursue this matter any further. He was offended by the quote and his portrayal in the newspaper. Mayor Rustin explained that the Council was aware of the investigation and that the Borough Administrator conducted a lot of research to address his concerns.

Ernest Kollitidies – requested Council to delay from taking action on some matters until the new members take office.

### **TO BE CONSIDERED**

#### A. Draft Letter to Governor Christie Re: Light Rail Referendum

Mayor Rustin explained that the draft letter takes into account the results of the referendum without being against mass transit or a well thought project. C. Lattif stated that he would also like Council to adopt a resolution and recommended to remove portions of the letter regarding restoring cuts on current lines and the request to have the DEIS released. He explained that the letter should include a portion to reflect the waste of taxpayers’ money on the DEIS and to ask the Governor where he stands on the issue. C. Warms recommended sending a copy of the letter to NJ Transit, NJ Department of Transportation, and the Federal Transportation Administration, along with a letter to the incoming County Executive to explain the harm such a project will have on the County road system. CE Honig and Kerge confirmed that they support a resolution and letter to bring closure to this matter. Mayor Rustin concurred. C. Rouse recommended that the resolution be more detailed and the letter be more brief.

A draft resolution and revised draft of the letter will be reviewed at the January 4<sup>th</sup> COW meeting.

#### B. December 14, 2010 Meeting Format.

Mrs. Aportela- Hernandez requested clarification on how Council wished to proceed with their discussion on the police department staffing and budget impact for next week’s meeting. She explained that there are no public hearings for the Regular Meeting, which will mainly consist of a Consent Agenda. Council confirmed that they wanted the discussion to take place in a Committee of the Whole setting in the Wilson Committee Room. The Borough Clerk will process a Sunshine Notice to add the special COW meeting following the Regular Meeting on December 14<sup>th</sup>.

C. Police Captain Salaries.

Based on the discussion at the Police Department Review meeting convened on Tuesday, November 30, 2010, it was proposed that the current ordinance be amended to reflect a salary range for the position of Police Captain in order to provide for additional flexibility in setting compensation for newly promoted Captains. Mrs. Thompson-Chin advised that the present ordinance contains a flat base salary with a 10% differential between Lieutenants and Captains. An option is to continue with a flat base salary with either a 4% or 5% differential between the 2 positions. Another option is to use a range with steps starting with a 4% differential between the 2 positions and 2% increments between steps. Council requested that to hold this item for December 14<sup>th</sup> to discuss with Labor Counsel the entire compensation package to determine what is open for discussion since the current police contract does not expire until 2012.

**ADMINISTRATOR'S REPORT**

A. Police Promotions Process

This item will be discussed during Closed Session.

B. Communication Plan re: Once per week Garbage Pick-up/Additional Charge for Rear Yard Pick-Up.

This item will be discussed during Closed Session.

C. Police Headquarters Project Update

Mrs. Thompson-Chin reported that of the 22 responses to the RFP for Clerk of the Works, 2 firms were selected for interviews conducted by herself, Chief Bruno, and Mr. Iovino. One firm was selected and a formal recommendation to award a contract will be listed as a resolution for the 14<sup>th</sup>.

A preconstruction meeting with Santorini was held. They applied for a construction permit that is currently under review and will be completed by mid-December.

Planning for construction staging includes installation of a security camera in the Borough Hall lobby for alternate Police Department access after 4:30 pm; a method of closing off corridors to route after hours visitors has been identified; utilization of the municipal parking lot designated as Municipal Lot "R", described as the northwest corner of Tenafly Road and Riveredge Road for the parking of construction vehicles and equipment. The contractor will provide the temporary fencing required to demarcate the area. C. LaMastra expressed concern regarding school traffic – both pedestrian and vehicular in the area. Mrs. Thompson-Chin will review this matter with Chief Bruno and report back to Council.

**CORRESPONDENCE**

- A. Altman/213 E. Clinton Avenue  
Re: Request/Decal Recycling Center

Council reviewed the resident's letter for a decal to the Recycling Center, in which he has an out-of-state driver's license, but the vehicle is registered in New Jersey. Council determined not to grant Mr. Altman a decal because his driver's license must be from New Jersey. He is entitled to a temporary letter to use the Recycling Center at 6 month intervals. Council authorized that requests for temporary letters be addressed to and processed by the Borough Clerk in an effort to provide more expedient service.

- B. Gooley/Millennium International Textiles  
Re: Request/Installation Collection Box

Council reviewed the request for an installation of a collection box and decided not to have another box installed due to lack of space at the Recycling Center. The Borough Clerk will advise accordingly. Council requested that the Borough Administrator speak to Mr. Beutel to determine the use of these boxes and if it was possible to relocate them to another section of the Center.

- C. Kennedy/22 Old Smith Road  
Re: Solicitation Ordinance

Council reviewed the time periods in which solicitation is permitted to occur between 9am until 9pm. The Borough Clerk confirmed that this time period was established in 1959. Council requested that Chief Bruno investigate what other towns do and to provide a recommendation to change the time period for canvassing in the interest of safety.

- D. Haitz/American Cancer Society  
Re: Annual GW Bridge Challenge.

Council requested that Chief Bruno review the letter and if there were no issues from the Police Department's end, that the Borough Clerk could advise the ACS that Council approved their request.

**FOR THE GOOD OF THE ORDER**

Council determined to have an Invocation and Benediction at the Reorganization Meeting and to have every resolution listed individually as opposed to a Consent Agenda.

At this point of the meeting, Council recessed at 9:08 p.m. and reconvened at 9:16 p.m.

## **CLOSED SESSION**

Mayor Rustin recognized Borough Attorney William McClure, who read into the record Resolution 10-387

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 Promotions Process.
  
- B. Legal/Attorney Client Privilege.
  - 1. Swim Club Leases
  - 2. Legal Report Re: Business Improvement District
  - 3. Solid Waste Contract

Minutes will be taken of the meeting and release 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 adjourn this public meeting.

There being no further business to come before the Council, on a motion from C. LaMastra, seconded by C. Lattif, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 9:18 p.m.

## **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 11:10 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez