

# Borough of Tenafly

MAYOR AND COUNCIL

COMMITTEE OF THE WHOLE

MINUTES

TUESDAY, MAY 29, 2012

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

Present: Mayor Peter S. Rustin  
Council members: Council members Anthony Barzelatto, Barry Honig (arrived at 7:40 P.M.) Martha Kerge, Nadia LaMastra, Jon Warms, and Mark Zinna

Borough Administrator: Jewel Thompson-Chin  
Borough Attorney: William R. McClure, Esq.

Absent: None

## **TO BE CONSIDERED**

### **Status of Close-Out of Police Headquarters Project – presentation by Janeen McDonald, Clerk of the Works**

Ms. McDonald reported that there are operational issues to be addressed, adjustments being made, such as in the HVAC system, and the contractor is working on completing the punch list. There will be \$85,000 remaining in the contract and final payments will be issued as the punch list is completed. She advised that the project is on budget and the contractor is addressing issues as they arise. She explained that at tail end of a project, the remaining items are time consuming. Mrs. Thompson-Chin informed Council that there is a resolution which proposes that Ms. McDonald's contract be extended through July 31<sup>st</sup>. The resolution will be listed for consideration under new business in the public meeting.

C. Barzelatto congratulated Ms. McDonald for working on this project and seeing it through with such professionalism. Chief Bruno advised that he was not in favor of a project manager initially, but Ms. McDonald handled scope of this project with skill and professionalism. She has gone beyond the scope of her responsibilities and the Police Department is grateful for her service. Chief Bruno noted that the temporary trailers will be coming down this week. C. Warms inquired if the recent rain storms have impacted the project. Ms. McDonald responded that the storms revealed a couple of issues that were

caught and addressed. She stated that she had a great team and that it was a pleasure working with everyone.

### **Finance Department Personnel Update**

Mr. Vinci advised that prior to his service there were 6 people in the Finance Department. Since January 2010, there were 3 full time staff members and 2 part time employees. There was a full-time position split into the roles of assistant to the Tax Collector and payroll clerk. Since this individual has resigned to work in another municipality, he recommended that the replacement be 2 part timers to save on fringe benefits. The proposed staffing will garner a \$17,000 in savings and each person would be working exclusive in the particular area. Deputy Treasurer and Tax Collector will be the only full time employees. Mayor Rustin inquired if the proposed structure will allow flexibility to remain and allow adequate coverage for vacations and sick time. Mr. Vinci responded that the Deputy Treasurer and assistant accounts payable clerk are cross trained and that online tax payments has reduced the foot traffic somewhat.

Mr. Vinci advised that with regards to the reappropriation ordinance for introduction tonight, in order to fund projects in the works, the Borough needs to allocate money sitting in old bond ordinances that were not fully utilized. Other ordinance for introduction is for housekeeping purposes that identify the match to correspond with a \$150,000 grant from NJDOT to resurface Columbus Avenue.

### **Police Personnel Update**

Chief Bruno advised Council that one of this year's new hires was terminated as he was unsuccessful in field training program and another officer has been out since last year and is applying for disability retirement. He sought authority to replace those 2 officers and advised that in looking at table of organization, there is a patrol supervisor Lieutenant who has been splitting his time on IT issues that have arisen. As examples, Chief Bruno cited that the entry system has its own server, there are more security cameras, there are more computer terminals that access state and federal software, the dispatch & radio communications utilize new software and new hardware, and evidence is all barcoded and computerized. He proposed taking the lieutenant from patrol and assigning him on IT issues on a full-time basis due to the increased dependence on computer technology and promote accordingly. This lieutenant is 2 years away from retirement. This adjustment will cost less than hiring a separate IT person who would need to be brought up to speed. This lieutenant will be able to start training others to ensure work on IT matters can be done in house after his retirement. A fulltime IT person is a requirement for accreditation. An outside vendor would be expensive and not available fulltime.

He requested that Council consider hiring 3 police officers at the academy rate to bring staffing level to 34 or hire 2 police officers and civilian records clerk. The next academy class begins in August, but the officers will not be on the road until January. Council determined to list this item for discussion on June 12<sup>th</sup>. C. Barzelatto recommended allowing Chief Bruno to start the process for testing and still discuss the issue of 2 or 3 officers at the work session. The majority of Council concurred and authorized Chief Bruno to begin testing for 2 new hires.

**ADMINISTRATOR’S REPORT**

Mrs. Thompson-Chin reported that the Borough Engineer will attend the June 12<sup>th</sup> work session to review the ADA assessment report as well as other issues such as the pros and cons of CCO ordinance and suggested revisions to the tree ordinance. She will check with the Borough Engineer if he can meet with the ADA Committee to review the assessment report.

**CORRESPONDENCE**

Historic Preservation Commission                      Re:    Request to designate a \$25 fee for *Tenaflly Design Guidelines for Landmarks and Historic Districts*

Mayor Rustin noted David Wall advised the fee is \$25 for color and \$10 for black and white. Mrs. Thompson-Chin advised that a resolution authorizing the fee will be listed for the public meeting.

B. Denson    Re:    Block Party Request – 6/23 – 6/24  
Council approved the request. The Borough Clerk will inform the resident.

J. Kane    Re:    Sidewalk Safety Monitoring  
Council reviewed the e-mail and noted that the sidewalk ramps are federally mandated and outside the purview of the Council. The Borough Clerk will advise the resident.

Vantage Health System                                      Re:    Thank You for Contribution/Offer of Workplace Services and Presentations to Employees  
Council acknowledged the letter and work of the organization.

American Diabetes Association                      Re:    Request for Portable Toilets  
C. LaMastra noted that the portable toilets posed a problem for residents last year. Chief Bruno advised that the Police spoke to the organizers about last year’s problems and the Police monitoring the event. Council approved the request and advised the Borough Clerk to notify the organizers of the approval and the Police monitoring of the area.

**RESOLUTIONS** for meeting of May 29, 2012:

- A.     Approve Expenditures as of May 23, 2012.
- B.     Authorize Refund/PB#1-05-25 Trust Account/Ari Realty Corp.
- C.     Authorize Refund/Commuter Parking/Plotkin
- D.     Authorize Refund/Construction Escrow/TD Bank
- E.     Authorize Refund/Tree Mitigation Escrow/ 148 Stonehurst Drive
- F.     Authorize Refund/Various Bonds and Escrow/29 Mahan Street, LLC
- G.     Authorize Refund/Site Plan Escrow/Mt. Carmel Cemetery
- H.     Authorize Refund/Tree Mitigation Escrow/10 Prospect Terrace
- I.     Authorize Refund/Tree Mitigation Escrow/12 Poplar Street
- J.     Authorize Renewal of Plenary Retail Consumption, Plenary Retail Distribution, and Club Liquor Licenses/2012-2013 Term
- K.     Authorize Refund/Engineering Escrow/10 Nelson Place
- L.     Award Contract/Repair and Maintenance of Police Vehicles/2012-2014/Clinton Auto Service.



C. Honig responded that he was told that it might be a violation of UN rules for a staff member to serve public service. He did his due diligence and investigated and asked if a staff member can get a waiver. He was advised by the legal department that no such waiver can be granted and was given a document from the UN explaining the rules of employment. After considerable due diligence to see if it was in fact true he went back and forth 10 times with the Suburbanite before they printed his letter. In e-mail this afternoon, C. Honig stated if Councilman Barzelatto has a waiver and proves that nothing has been violated, he will drop issue. He stated that he is willing to write to the Suburbanite that there is no issue. It is the business of the electorate to know this information.

Mayor Rustin commented that Councilman Barzelatto is not breaking any rules for Tenafly and if there is an issue, it is between him and his employer. The letter to the Suburbanite was attacking Councilman Barzelatto's livelihood. C. Honig responded that if there is no conflict with rules and regulations, then there is nothing to worry about.

C. Zinna reflected that when a councilmember takes the oath of office, the oath was to defend constitution of the United States. Council needs to be concerned with what goes on in Tenafly and what people do in their place of employment is no one's business. C. Zinna suggested that Councilman Honig violated rules of being an elected official by depriving rights of Councilman Barzelatto. The consensus of the majority of council were in favor of having the resolution of censure to be considered under New Business in tonight's public meeting with C. LaMastra, C. Zinna, C. Warms, and C. Barzelatto in support of the resolution and C. Kerge and C. Honig were opposed.

**ADJOURNMENT:**

As there was no further business to come before the Council, on a motion by C. Kerge, second by C. Zinna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:01p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC  
Borough Clerk