

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, October 12, 2010

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Michael Lattif, Joseph McDermott, Patrick J. Rouse, and Jon Warms

ABSENT: None

ALSO

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

At 7:49 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 listed in the Annual Agenda; copies are sent to the Press Journal, Record, Suburbanite, Northern Valley News and posted on the bulletin board in the lobby of the Municipal Center."

The Salute to the Flag was led by Mayor Peter Rustin.

REVISIONS TO THE AGENDA – None

AUDIENCE REMARKS FOR AGENDA ITEMS:

Barry Honig, Deerfield Drive, thanked C. Lattif for asking the Council at the last public meeting to address any questions that the public may raise during this portion of the meeting. He then expressed his concern about the salary ordinance proposing to give the non-represented employees a 4% increase. He believes that since we live in a world of 0% inflation, there should be a 0% to 1% increase across the board.

Mayor Rustin suggested placing the policy on how to handle audience remarks onto a work session. He believes the Council needs to decide how to handle this portion of the meeting without engaging in a dialogue.

Martha Kerge, 40 Hillside Avenue, asked why the salary ordinance is being discussed so late in the year, whether the represented groups have already received their increases, and if the percentage that the represented employees receive affects the percentage that these 14 employees receive. She then expressed her opinion that there should not be blanket increases, rather performance evaluations need to be implemented. She also asked the governing body to keep in mind that most people have had no increase or even a decrease in their salaries and those people represent the Tenafly taxpayers.

Johanne Gambrell, Ravine Road, questioned whether the reason for the Council deciding to go ahead with the second traffic study regarding the Light Rail was so that the money allocated to this study would not be forgotten. She stated that she would personally remind the Council about this project. She also stated that she had received Chief Bruno's response to Talley's report and expressed her opinion that Chief Bruno's concerns should be passed along to the new consultants.

Mark Feldman, 133 Lylewood Drive, expressed his opinion that other aspects of the personnel contracts such as longevity raises and terminal leave should be the subject of extensive review in a public forum.

CORRESPONDENCE

A. Lindner/The Presbyterian Church at Tenafly Heaven Re: Sign Request - Pennies for Event on 11/21/10 Placement of Signs on 11/3/10

Mayor Rustin opened the public hearing on the ordinance.

Mark Feldman, 133 Lylewood Drive, stated that he is opposed to the 4% increase. He then quoted Mayor Rustin's remarks in the newsletter that the Mayor and Council had gotten the message about the financial pressures facing Tenafly residents and asked when the governing body was going to start acting as if they have gotten the message.

Mayor Rustin commented that this ordinance affects 14 people, many of whom must receive the 4% increase by State statute. He explained that tradition has been that the non-aligned employees receive the same increase as the aligned employees; the aligned employees have received a 4% increase. There was concern among the members of the governing body that if they were to break tradition, it may encourage these 14 employees to form a union. He also explained that these employees do not usually receive their increase until after the budget has passed which did not happen until June. He stated that if he were given the opportunity to vote, he would vote for the 4% increase. He does not feel that these employees, most of whom are key employees, should be treated in a different manner than the rest. He did state that it will no longer be business as usual and the governing body is looking at every aspect of the compensation package for next year.

Councilman Rouse pointed out that this ordinance affects less than 10% of the employees. He responded to Mr. Feldman's comments and stated those areas of the contract are being looked at and will be discussed in closed session as a strategy of negotiation. He will be endorsing this ordinance.

Councilman Lattif believes that the focus should be on the Tenafly taxpayers not the employees. He feels that tradition becomes a problematic legacy as circumstances have changed. He will be voting no on this ordinance.

Councilman McDermott remarked that the 4% increase is too high. Although he did feel that these employees should receive an increase, he thinks that the Council should have agreed upon a number that would have signaled it was a new day. He will be voting no on this ordinance.

Councilman Warms expressed that he is not happy about the 4% increase. However, he believes that it would be unfair not to give these 14 employees, most of whom are moderately paid, the same increase as the rest. He does not feel that their work justifies different treatment. Although he does believe that there are inequities in the system, he expressed his opinion that singling out these employees would be the greater wrong. He stated that salaries should be looked at with regard to the overall impact on the Borough in the upcoming year.

Councilwoman LaMastra does not feel that the governing body has done its job in communicating their expectations to the Borough employees. Although performance evaluations were supposed to have been implemented, they were not enforced. She explained that these employees had an expectation of receiving 4% and the governing body never communicated that they may be receiving less. Because it would be unfair to surprise the employees so late in the year, she believes that the Council must follow through with the 4% increase. However, she did stress the need to be firm going forward.

Councilman Barzelatto stated that he is in favor of performance evaluations. He expressed his belief that 2011 will be a different year. He stated that he will be supporting this ordinance because it is the right thing to do, but all contracts and aspects of those contracts are going to be addressed in 2011.

Motion by C. Rouse, second by C. Barzelatto, that Ordinance 10-28 be passed and adopted on second and final reading and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. McDermott:	nay
C. LaMastra:	aye	C. Rouse:	aye
C. Lattif:	nay	C. Warms:	aye

B. Other: None.

COMMITTEE REPORTS

Councilman Barzelatto None

Councilman Warms None

Councilman McDermott None

Mayor Rustin Mayor Rustin reported that he attended the Northern Valley Fire Chief's Parade this past Sunday. He remarked that it was a very small parade this year with a very sparse crowd. Tenafly had one truck participate. He did express that the parade serves a very good purpose.

Councilman Rouse Mr. Rouse announced that the Flu Clinic will take place October 15 in the McCandless Room. There will be no pre-registration, it is open to Tenafly Residents ages 18 to 64, and for those without Medicare, there is a \$20 fee.

Mr. Rouse announced that in September, the Sunday circulation was over 600; the original goal when the Sunday hours began was to reach a circulation number of 400. He announced the following upcoming programs: 10/26 at 1:00 p.m. Lecture on Alzheimer's Disease, 10/19 at 1:00 p.m. Lecture by Chilean poet, Gabriela Mistral and 11/1 from 10:00 a.m. to 12:00 p.m. Congressman Scott Garrett's Mobile Constituent Service.

Councilman Lattif Senior Advisory Committee will meet tomorrow morning.

Councilwoman LaMastra None

OLD BUSINESS

None

NEW BUSINESS

None

AUDIENCE REMARKS ON NON-AGENDA ITEMS:

Mark Feldman, 133 Lylewood Drive, commented that the governing body needs to anticipate the implications of the retirement of the two senior police officers as well as others whom Chief Bruno expects to retire in this upcoming year. He asked that discussions about the managerial structure of the Police Department be presented to the public with salary numbers attached.

MAYOR'S REMARKS

Mayor Rustin addressed comments made about the \$3,500 fee to finish the traffic study. He stated that he is not worried about this money being forgotten. Since the governing body felt that this study was worthwhile at one point, he believes that it should be completed. He further stated that he did not know when or if there would be a DEIS and what the impact the results of the referendum question will have on the Light Rail.

The Mayor expressed his hope that the public's concerns about the 4 % increase were addressed and questions had been answered.

In response to Mr. Feldman's comments about the retirement and replacement of police officers, Mayor Rustin remarked that this issue needs to be addressed in a scientific way. Although he believes that the governing body has the ability to tell the professionals what they need and expect, they do not have the knowledge to tell them how to get there. He does think that much of these discussions can take place in open session.

Mayor Rustin expressed that he is in agreement with his colleagues that the governing body has not done its job in dealing with the employees. The governing body plans to address all aspects of employee benefits in the upcoming year. The Borough Administrator has been given clear directions on how to address the economic issues facing Tenafly residents.

CLOSED SESSION

Mayor Rustin recognized Borough Attorney William McClure.

RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Tenafly are going into Closed Executive Session to discuss the following matter:

- A. Legal
- B. Personnel
 - 1. Performance Evaluation Process for the Borough Administrator
 - 2. Elevator Sub-Code Official

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 adjourn this public meeting.

There being no further business to come before the Council, on a motion from Councilwoman LaMastra, second by Councilman McDemott, and all present voting in favor, the meeting was adjourned to the Closed Session in the Committee Room at 8:32 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez
Borough Clerk