

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, APRIL, 2023

PRESENT: Mayor Mark Zinna Councilmembers Lauren Dayton, Jeffrey Grossman, Venugopal Menon, Adam Michaels, Julie O' Connor and Daniel Park

ABSENT:

ALSO PRESENT: Borough Administrator Jimmy Homsi
Borough Clerk Omar Stovall
Chief Financial Officer Susan Corrado
Borough Attorney Wendy Rubinstein

At 7:32p.m. Mayor Zinna 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. THE 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, AND PUBLISHED IN THE RECORD WITHIN THE FIRST 10 DAYS OF THE NEW YEAR."

M. Zinna expressed that C. Park will be attending the Mayor and Council and not in attendance due to personal reasons.

PRESENTATION

Holiday Festival of Vishu Proclamation

C. Menon read the following proclamation into the record.

WHEREAS, Vishu is a holiday celebrated by people from the South Indian state of Kerala and the worldwide Keralite diaspora to mark the beginning of the new year;

WHEREAS, Vishu is on the first day of the Hindu lunar month of Medam according to the Hindu lunar calendar and which falls on the 15th day of April according to the Gregorian calendar;

WHEREAS, in Sanskrit, Vishu means "equal," and connotes the equinox on the day of Mesha Sankranti;

WHEREAS, three traditional elements of Vishu celebrations are the Vishukani, the Vishukaineettam, and Vishubhalam;

WHEREAS, it is believed that to have a happy and prosperous year ahead, the first sight one should see on the morning of Vishu is the Vishukani, which is a collection of auspicious items -- such as fruits, grains, vegetables, flowers, lamps, coconut, gold, a mirror, a water-filled pot, a piece of cloth, and so on -- all accumulated on a large circular plate or vessel, along with an image of Sri Krishna, and this is meant to reflect beauty, light and abundance;

WHEREAS, the custom of Vishukaineetam involves elders of the family gifting money to children and others to share in the happiness of the day;

WHEREAS, Vishu corresponds to similar new year holidays celebrated in other Indian states which are also observed on this day, such as: Poila Baisakh in Bengal, Baisakhi in Punjab, Puthandu in Tamil Nadu and Bihu in Assam;

WHEREAS, over 600,000 people from the state of Kerala have migrated to the United States and a significant number of the approximately 400 Tenafly residents and over 40,000 Bergen County residents of Asian Indian background similarly have their family's origins in Kerala and celebrate Vishu annually;

NOW, THEREFORE, the Borough of Tenafly Mayor and Council does hereby recognize the new year's holiday of Vishu and wishes all people from Kerala along with all of the residents in the Borough of Tenafly a Happy Vishu or Vishu Ashamsakal.

Mental Health Awareness Month Proclamation

C. O' Connor read the following proclamation into the record.

WHEREAS, mental health is essential to overall health and well-being, and all people experience times of difficulty and stress in their lives and should feel comfortable in seeking help and support to manage these times; and

WHEREAS, like physical illness, mental illness is a medical condition that can be treated effectively through prevention, early identification, and early intervention, and with effective treatment, all individuals with mental illness can make progress toward recovery and lead full, productive lives; and

WHEREAS, mental illness affects one in five people in the United States, and the experience can be devastating for individuals and families with little knowledge or access to mental health services; and

WHEREAS, the COVID-19 pandemic has created a multitude of mental health challenges for our community members of all ages, and connecting people to care is more important than ever; and

WHEREAS, May is annually recognized throughout the nation as Mental Health Awareness Month,

WHEREAS, it is the 10th anniversary of the beginning of the Stigma-Free Initiative in Bergen County with Paramus initially declaring itself a Stigma-Free Zone in 2013; and

WHEREAS, the Borough of Tenafly declared themselves as a Stigma-Free Zone and will continue to support the Stigma-Free initiative,

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogue about stigma, raise awareness of the diseases of mental illness and create a culture wherein residents who have the diseases of mental illness feel free to seek treatment for the disease without fear of stigma; and,

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;

NOW THEREFORE BE IT RESOLVED that the Borough of Tenafly recognizes the community needs and continues to support the efforts of the County of Bergen in continuing to be a Stigma-Free Zone.

Arbor Day Proclamation

M. Zinna read the following proclamation into the record.

WHEREAS, the last Friday of April, April 28, 2023, is designated as NATIONAL ARBOR DAY, which is a day set aside to promote the planting of trees, tree conservancy and appreciation of our environment; and

WHEREAS, the Borough of Tenafly has promoted tree conservancy and planting for many years; and

WHEREAS, trees in our community increase property values, enhance the economic vitality of business areas and beautify our Borough; and

WHEREAS the Borough of Tenafly has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, The Mayor and Council of the Borough of Tenafly, do proclaim April 28, 2023 as Arbor Day and urge all citizens to celebrate this day and to support efforts to protect our trees and woodlands.

Improvements to the Senior Center and Library Update

Mr. Hipolit provided an update to the Governing Body regarding the potential design of the Senior Center and Library. Mr. Hipolit asked the Governing Body of committing \$40 million. C. Dayton responded that she is in the minority but she believed that there is interest to piecemeal the project. C. Menon questioned if all three of the projects are needed. M. Zinna believed that more information would need to be vetted before proceeding. C. Dayton voiced that the Senior Center and the Library be housed in the municipal center. M. Zinna suggested that a committee be formed to have conversations about the process.

C. Park arrived at 8:12 pm.

Mr. Richard Brown of Colliers believed that the wish list provided by the Governing Body is a good starting point and with assessment provided by Colliers would be the next steps clear. Mr. Brown added that the Governing Body is struggling to make a decision because some components are missing.

TO BE CONSIDERED

Naming Committee Update

Mr. Homsy expressed Katy McClure and family was happy that the Governing Body would like to honor William McClure. The Governing Body began to discuss options. The Governing Body decided with the Bronze larger size plate.

TVAC Awards Dinner

C. Grossman voiced that TVAC will be having its award dinner in Davis-Johnson park. He expressed that alcohol would be served and needs permission from the Governing Body to serve alcohol and to place tables and chairs. The Governing Body approved to allow alcohol, tables and chairs.

CORRESPONDENCE

Serpentine Road Paving

Mr. Homsy expressed that he indicated to have Serpentine Road on a future roads list. He added the cost from the Riverside Coop Road Improvement Program came back favorable so he had forwarded the Serpentine request to Mr. Hipolit and DPW Director Mike Cassidy.

Library Roof Replacement

Mr. Homsy voiced that the library is willing to contribute financially towards the roof repair for the library. Mr. Homsy added that the Library Board is seeking a written response from the Governing Body.

ADMINISTRATOR REPORT

Mr. Homsy asked the Governing Body if they had questions in regards to his report.

C. Dayton asked Mr. Hipolit if he is familiar with the NJ DOT grant. Mr. Hipolit expressed that with Safe Route to Schools and other federal grant that it could be an arduous process. C. Dayton asked how much is additional engineering. Mr. Hipolit voiced that it could be a quarter million dollars or more.

Mr. Homsy expressed that the Millennium Strategies received a grant for the Municipal Field upgrade.

Mr. Homsy reported that Engle Street project would start in May.

Mr. Homsy reported that the Girl Scouts are looking to install the little free library either by the entrance of the dog park and needs the Governing Body approval for the location. The Governing Body approved the location.

C. Connor wanted to bring to the Governing Body attention a grant available to help with composting. She asked the Governing Body if there was interest in applying for the grant. C. O' Connor expressed that she wanted bring the matter forward to have the Governing Body thinking in terms of composting.

C. Dayton asked for more information regarding the vacant properties in town. Ms. Rubinstein voiced that statutory changes are needs and asked that the conversation be on hold until more information is obtained.

PUBLIC COMMENTS

J. Kreiger – 163 Highwood Avenue – expressed that the downtown is a disaster and that nothing is exciting about the downtown. He expressed that the residents and business owners are upset. He

added that there are residents with the means to invest in the downtown. Mr. Kreiger suggested that the Borough enters into a public-private partnership.

C. Evron – 39 Leroy Street – Ms. Evron voiced that municipalities charge for use of facilities. She believed that the Borough should look outside of Tenafly as a trade to use their facilities. She expressed that thousands of families are not going to use a recreation center and only 20% of residents' children are in Tenafly schools. C. Evron expressed if \$115,000 is really needed for signs and ask the Governing Body to wait for a downtown study.

J. Kreiger – 163 Highwood Avenue – Mr. Kreiger believed that the signs will help improve the downtown.

J. Pattison – 11 Country Club Road – Mr. Pattison asked what is the design process or is there flexibility for public input concerning the skatepark. Mr. Homsy expressed that when the funding becomes available the Borough will engage with the Borough Engineer who would design plans inline with the grant submission. M. Zinna expressed that the engineer will have a better understanding of the cost. Ms. Rubinstein explained that there is an opportunity to amend based on financials. C. Dayton asked once the Open Space funds are provided could the Borough make changes. Ms. Rubinstein explained that changes could be made to appropriations. Mr. Pattison believed that there should be great public debate.

D. Quincy – 50 Elm Street – Ms. Quincy expressed that the ANJEC Composting grant deadline is coming soon. Ms. Quincy provided information in support of composting/ Ms. Quincy expressed that she is seeking the Borough Administrator signature to proceed with the grant application.

CONSENT AGENDA

Resolution R23-152 – Approve Expenditures as of April 12, 2023

Resolution R23-153 – Approve Raffle Licenses Numbers 1270-1271

Resolution R23-154 - Approve Forfeit of Tree Mitigation Escrow – 126 Newcomb Road

Resolution R23-155 – Approve Refunds – Recreation Department – Various

Resolution R23-156 – Authorize Refund – Tax Court Judgment – Block 3103 Lot 3 – Hofer

Resolution R23-157 – Authorize Refund – Tax Court Judgment – Block 906 Lot 1 – Skoloff

Resolution R23-158 – Approve Refund – Overpayment of Taxes – Wells Fargo

Resolution R23-159 – Authorize Tax Overpayment Refund – Block 212 Lot 10

Resolution R23-160 – Authorize Escrow Refund - #PB 1-22-14

Resolution R23-161 – Authorize Escrow Refund - #PB 1-20-05

Resolution R23-162 – Authorize the Combination of Certain Issues of Bonds

Resolution R23-163 – Authorize Form and Sale of General Obligation Bonds

Resolution R23-164 – Engage the Services of Phoenix Advisors, LLC – Continuing Disclosure Agent

Motion by C. Michaels second by C. Park that the Consent Agenda be approved.

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

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

RESOLUTIONS

Resolution R23-165 – Authorize Receipt of Bids – Solid Waste Collection

Resolution R23-166 – Authorize Execution of a Settlement Agreement with Fair Share Housing Center

Resolution R23-167 – Approve DPW Candidate Hire to Driver/Laborer Step 2 – D’ Anna
Resolution R23-168 – Approve DPW Candidate Hire to Driver/Laborer Step 2 – Mulrooney

Ms. Rubinstein expressed that the resolution to Authorize Execution of a Settlement Agreement with Fair Share Housing Center is an amendment and updates affordable housing sites. She thanked the Governing Body for taking a strong initiative.

Motion by C. Grossman second by C. Dayton that the Resolutions be approved.

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

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O’Connor:	aye
C. Menon:	aye	C. Park:	aye

PUBLIC HEARING

The following ordinances published herewith was first read by title only on March 21, 2023 and posted on the bulletin board of the lobby of the municipal center.

The Borough Clerk read into the record:

ORDINANCE NO. 23-02 – AN ORDINANCE APPROPRIATING \$115,000 RECEIVED FROM THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS PROGRAM TO PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS IN THE BOROUGH OF TENAFLY

Public Comments on Ordinance No. 23-02
None.

Motion by C. Michaels second by C. Dayton that Ordinance 23-02 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote on Ordinance No. 23-02 was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O’Connor:	aye
C. Menon:	nay	C. Park:	aye

The Borough Clerk read into the record:

ORDINANCE NO. 23-03 – AN ORDINANCE OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$10,000 FOR THE FROGGY PARK SIGN AND SPINNER

Public Comments on Ordinance No. 23-03

C. Evron – 39 Leroy Street – Ms. Evron questioned why is the Froggy Park not included with way finding signage.

J. Homsy expressed that in early May an approved State Contract vendor will look into.

Motion by C. O' Connor second by C. Park that Ordinance 23-03 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote on Ordinance No. 23-03 was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

The Borough Clerk read into the record:

ORDINANCE NO. 23-04 – AN ORDINANCE OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$398,475 FOR THE SWIM CLUB – SECURITY CAMERAS, RAISED FLOWER BEDS, FENCING, SKATE PARK AND FOUNTAINS

Public Comments on Ordinance No. 23-04
None.

Motion by C. Menon second by C. Park that Ordinance 23-04 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote on Ordinance No. 23-04 was recorded as follows:

C. Dayton:	nay	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

The Borough Clerk read into the record:

ORDINANCE NO. 23-05 – BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF TENAFLY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,655,736 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,576,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Public Comments on Ordinance No. 23-05
None.

Motion by C. Dayton second by C. Grossman that Ordinance 23-05 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote on Ordinance No. 23-05 was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

OLD BUSINESS

A. Memorial Day Banner

Mr. Homsy updated the Governing Body concerning the design of the banner which includes the image of the Borough's updated logo.

B. 2023 County Municipal Park Grant Application

Mr. Homsy voiced that the grant application is for projects that the Governing Body is interest in such as updates to the Tiger Cage, a multi recreational update but the skate park. Mr. Homsy added expressed that a letter of intent has been submitted and that two proposals were submitted by Colliers and Millennium Strategies. C. Grossman asked that the grant language of for the area around the pond be broader. Mr. Homsy expressed that he would like to use Millennium Strategies to submit the grant. The Governing Body decided to Millennium Strategies to submit the grant.

Minutes to be approved: March 7, 2023 Closed Session
March 21, 2023 Mayor and Council Meeting
March 21, 2023 Closed Session

Motion by C. Park, second by C. Grossman and all other members voting in favor,

BE IT RESOLVED that the Minutes of the March 7, 2023 Closed Session, March 21, 2023 Mayor and Council Meeting, March 21, 2023 Closed Session be approved.

FOR THE GOOD OF THE ORDER

C. Dayton – expressed that she would like to change one of the historical overlays and to come up with an alternative. She added that blue stone is expensive to replace She added that the Church on Magnolia Avenue was allowed to replace the blue stone with concrete. C. Dayton expressed that she would like to work with the HPC. C. Grossman offered to bring the matter up before the HPC.

C. Dayton asked for an update concerning the TVAC ordinance.

Ms. Rubinstein expressed that the TVAC ordinance has been pulled due to additional comments.

C. O' Connor expressed that the Composting Grant came before the Governing Body and needed the signature of the Borough Administrator. She added that to her understanding that there could be additional elements concerning the grant. She explained that the group Neighborhood Compost would install semi-permanent wood structures that would protect compost bins from the elements at a cost of \$150 each. She added that a 6-month pilot program for 100 households is a little over \$6,000 with interested households paying \$50 with about \$1,500 needed from the grant from processing.

Mr. Homsy expressed hesitation in proceeding with applying for the grant due to trying understand what the program entails. He added that the deadline to apply has been extended.

M. Zinna asked when is the deadline Dorothy Quincy explained that the grant application deadline is tomorrow.

M. Zinna expressed that the Borough Administrator Mr. Homsy, DPW Director Mike Cassidy, and Ms. Quincy have a discussion on how to proceed.

C. Dayton asked to form a committee for a Woman History Museum.

C. Dayton and C. Grossman volunteered to form the Woman History Museum committee.

UPCOMING MEETINGS

Ms. Rubinstein expressed that the TVAC ordinance will be presented at the next meeting.

NEW BUSINESS

A. Introduction of Ordinance

C. Grossman moved that the ordinance be introduced and passed on first reading and setting May 9, 2023 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Park:

The Borough Clerk read into the record:

ORDINANCE NO. 23-06 – AN ORDINANCE TO AMEND THE TITLE, SALARY, WAGE OR COMPENSATION OF THE EMPLOYEES OF THE TENAFLY ADMINISTRATIVE EMPLOYEES BARGAINING UNIT FOR THE CALENDAR YEARS 2020, 2021, 2022, AND 2023

On a roll call, the vote on Ordinance No. 23-06 was recorded as follows:

C. Dayton: aye	C. Michaels: aye
C. Grossman: aye	C. O’Connor: aye
C. Menon: aye	C. Park: aye

C. Park moved that the ordinance be introduced and passed on first reading and setting May 9, 2023 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Grossman:

The Borough Clerk read into the record:

ORDINANCE NO. 23-07 - AN ORDINANCE OF THE BOROUGH OF TENAFLY, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING CHAPTER 3 BOROUGH REGULATIONS, SECTION 3-6 BICYCLES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, 2004 TO INCLUDE LOW-SPEED ELECTRIC BYCICLES AND ELECTRIC SCOOTERS

On a roll call, the vote on Ordinance No. 23-07 was recorded as follows:

C. Dayton: aye	C. Michaels: aye
C. Grossman: aye	C. O’Connor: aye
C. Menon: aye	C. Park: aye

C. O’ Connor moved that the ordinance be introduced and passed on first reading and setting May 9, 2023 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Tenafly Municipal Center as the place for a hearing on said ordinance. Seconded by C. Dayton:

The Borough Clerk read into the record:

ORDINANCE NO. 23-08 - AN ORDINANCE TO AMEND THE FEE SCHEDULE, SECTION 10-1.3 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, 2004 ENTITLED “CONSTRUCTION CODE FEES”

On a roll call, the vote on Ordinance No. 23-08 was recorded as follows:

- C. Matters falling within the Attorney-Client Privilege, to the extent that confidentiality is required in order for the attorney to exercise her ethical duties as a lawyer.
 - 1. Potential Litigation
- D. Contract Negotiations
 - 1. Shared Service Agreement
 - 2. Electric Vehicle Charging Stations Agreement

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 C. Dayton seconded by C. Park, and all present voting in favor, the meeting was adjourned to the Closed Session at 09:45 p.m.

Motion by C. Dayton second by C. Park that the **Resolution R23-171** – Authorize Execution of Shared Services Agreement with the Tenafly Board of Education – Little League Field be approved.

On a roll call, the vote on the **Resolution R23-171** – Authorize Execution of Shared Services Agreement with the Tenafly Board of Education – Little League Field was recorded as follows:

C. Dayton: aye	C. Michaels: aye
C. Grossman: aye	C. O’Connor: aye
C. Menon: aye	C. Park: aye

Motion by C. Grossman second by C. O’Connor that **Resolution R23-172** - Award Contract – Installation and Operation of Electric Vehicle Charging Stations – Greenspot JC be approved.

On a roll call, the vote on the **Resolution R23-172** - Award Contract – Installation and Operation of Electric Vehicle Charging Stations – Greenspot JC was recorded as follows:

C. Dayton: aye	C. Michaels: aye
C. Grossman: aye	C. O’Connor: aye
C. Menon: aye	C. Park: aye

ADJOURNMENT

As there was no further business to come before the Council, on a motion by C. Michaels, second by C. Grossman and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:42p.m.

Respectfully submitted,

Omar Stovall, MPA, RMC
Borough Clerk