

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, MAY 23, 2023

PRESENT: Mayor Mark Zinna Councilmembers Lauren Dayton, Jeffrey Grossman, Venugopal Menon, Adam Michaels (*arrived at 7:44pm*) 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 7:36 p.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 announced that C. Michaels would be arriving to the Mayor and Council meeting in 15 minutes.

PRESENTATION

Pride Month Proclamation

C. Dayton read the following proclamation into the record.

WHEREAS, *the Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Pansexual, Gender Non-Conforming, Gender Non-Binary, Gender Fluid, Questioning, and all others in sexuality and gender identifying spectrums, ("LGBTQ+") community unjustly and unfairly faces inequality, prejudice, fear, isolation, hardship, discrimination, harassment, violence, and disruption of their lives; and*

WHEREAS, *this nation was founded on the principle that every individual has infinite dignity and worth, and the Mayor and Council calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and*

WHEREAS, *the Borough of Tenafly reiterates its commitment and seeks to make this proclamation to promote civil rights, human rights, equality, inclusivity, resilience, respect, dignity, freedom, visibility, and parent and youth initiatives and education for the LGBTQ+ community and all of our diverse residents; and*

WHEREAS, the Mayor and Council adopted Resolution #R18-129 on April 3, 2018; which established and declared Tenaflly Pride Day for the municipality, recognizing the need for increased tolerance, understanding and acceptance amongst our residents and our larger community; and

WHEREAS, additional education and awareness remains vital to end continued discrimination and prejudice, and Pride Month is an invaluable opportunity to recognize the hard-fought rights and gains society has made in ensuring civil rights, justice, diversity and to celebrate the LBGTQ+ culture celebrating, which still are constantly being challenged;

WHEREAS, Pride Month influences awareness and provides support and advocacy for the Borough of Tenaflly's LBGTQ community, and is an opportunity to take action and engage in dialogue to strengthen understanding, build acceptance and advance equal rights; and

WHEREAS, Pride Month is an opportunity for the Borough of Tenaflly to quiet the harmful and hateful rhetoric against its LBGTQ+ residents and to safeguard all residents regardless of sexual orientation and identity;

WHEREAS, the Mayor and Council of the Borough of Tenaflly recognizes and proclaims the month of June 2023 as LBGTQ+ Pride Month throughout the Borough of Tenaflly; and

WHEREAS, the Borough of Tenaflly will have a Pride flag raising on Wednesday, May 31, 2023 to honor the history of the LBGTQ+ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination, as well as place Pride rainbow flags throughout the municipality; and

WHEREAS, Tenaflly Pride will hold a parade for the LBGTQ+ community and all residents on Sunday, June 11, 2023, with a community gathering at Huyler Park;

NOW, THEREFORE, the Mayor and Council of Tenaflly, County of Bergen, State of New Jersey **PROCLAIM** June to be Tenaflly Pride Month to celebrate the LBGTQ+ Tenaflly community,

BE IT FURTHER PROCLAIMED that Pride rainbow flag will be raised on Sunday, May 31, 2023 recognizing all LBGTQ+ residents whose influential and lasting contributions to our neighborhoods make the Borough of Tenaflly a vibrant community in which to live, work and visit, and Tenaflly Pride will host a parade and community gathering on Sunday, June 11, 2023 in support of increased tolerance, understanding and acceptance of Tenaflly's LBGTQ+ residents.

N. Kavanagh – 83 Hazelton Terrace - Ms. Kavanagh thanked the Governing Body and the residents for the continued support of Pride events in the Borough.

C. Michaels arrived at 7:44 pm

Transportation Safety & Flow Recommendations

Noah Levine of BFJ Planning introduced himself while explaining that the through his involvement with the Downtown Revitalization Plan that the upcoming presentation will provide transportation safety and flow recommendations from Brightview Engineering.

John Jahr of Brightview Engineering. Mr. Jahr thanked the Tenaflly Police Department for being instrumental in allowing Brightview to complete its traffic study. Mr. Levine explained that the purpose of the plan was to focus on pedestrian and vehicular safety. He added that during the outreach process that safety was the number one concern to make the downtown walkable. He also

expressed that during the outreach process that respondents expressed an appetite for improvement. C. Michaels expressed that the Governing Body is seeking prioritization of the process.

Mr. Jahr provided an analysis of the downtown traffic, which he expressed that it is currently not intuitive and creates confusing amongst drivers. He added that the corridor between West Railroad Avenue and Piermont Road creates a double main street, which allows for parking on both sides but capacity of the road contends with the existing railroad line. He continued that he is looking to coordinate with NJDOT & CSX Railroad to revise the status of the line to “Not in Service”. C. Grossman questioned the role of the federal government to revise the status of the line. Mr. Jahr expressed that the commissioner of the NJDOT has the final determination. Mr. Homsi asked Mr. Jahr to provide the benefits of changing the status. Mr. Jahr explained that it would improve the improve timing of signals, it would remove pre-emption timing, it would allow the repaving of the roadway, the implementation of appropriate roadway markings, and the installation new pedestrian improvements, which all do not require NJDOT approval. C. Dayton asked Mr. Jahr if there has been any discussions regarding the tracks because there is interest in expanding the light rail line. Mr. Jahr expressed that yes and that the cost of the light rail would be astronomical. C. Park asked if the Borough receives the “Not in Service” designation and wants to install sidewalks parallel to the track would the Borough need approval because the sidewalk would be in the 60 foot right-of – way of the track. Mr. Jahr responded that the Borough would not need approval.

M. Zinna asked Mr. Jahr does he needs guidance from the Council. Mr. Jahr responded that he believes that he had given a lot information and he would like the Governing Body to review to information to provide feedback at a future meeting.

ADMINISTRATOR REPORT

Mr. Homsi asked the Governing Body if they had any questions concerning his report.

Mr. Homsi reported that the Zoning Board Secretary is resigning from the position. M. Zinna asked how will the position will be filled. Mr. Homsi responded that the employee would remain until July and is currently receiving interest from internal candidates.

CORRESPONDENCE

Roof Leak

A member of the Board of Trustees (Kathleen Cook) expressed that she is surprised that she is still talking about the condition of the Library Roof. She added an agreement was made with the Borough to where the library would provide some funding towards to the repair of the roof. She continued that the agreement did not include the roof over the picture room and entrance way. She added that she was told by the Borough Engineer that area did not need to be address. She expressed that was proven incorrect because on April 23rd that portion of the library received water damage. She added that the roof was destroyed due to clogged drains and damage from squirrels. that that the flat roofs did not need to be addresses according to the Borough Engineer.

M. Zinna asked S. Corrado talk about the funding for the roof repair. Chief Financial Officer Susan Corrado explained that there is a public hearing for an ordinance for \$500,000 to be place into the capital plan to repair the roof. She added that in 20 days the Borough can go out to bid to select a contractor to begin the repair process was placed in the capital and is ready for second reading. Mr. Homsi added by that by the second meeting June a proposal from the engineer should be available to move forward.

C. Dayton asked how the roof is being protected currently. Mr. Homsy explained that through insurance that an abatement assisted in cleaning the roof. He added that building maintenance and DPW will go on to the roof to ensure that drains are unclogged.

Martin Gilbert ask about a letter that absolves the Borough from fixing the roof if the bids went over \$500,000. Ms. Quirgoa explained that the Governing Body could only spend monies appropriated and would have to reject bids and the Governing Body may have to pass another bond to appropriate funding.

Marilyn Friedman voiced that she and the Library Board is frustrated and confused that the library does not have a new roof. Ms. Friedman expressed frustration about the damaged done to the children room.

PUBLIC COMMENTS

C. Coleman – 65 Hillside Ave – Mr. Coleman voiced that a pedestrian was hit last year on Hillside Avenue and nothing has happened at the intersection. Mr. Coleman continued that in a few months a pedestrian was hit by a bus. Mr. Coleman added that in a town the size of Tenafly would average a pedestrian fatality every three years. Mr. Coleman expressed that he believed that political leadership had put certain issues. Mr. Coleman voiced impact of having gun control in the nation.

C. Evron – 39 Leroy Street – Ms. Evron asked the Mayor and Council to carefully consider having Piermont Road as a two way street.

CONSENT AGENDA

Resolution R23-199 – Approve Expenditures as of May 17, 2023

Resolution R23-200 – Authorize Tree Mitigation Escrow Refund – 58 Briarcliff Road

Resolution R23-201 - Authorize Tree Mitigation Escrow Refund – 60 East Clinton Avenue

Resolution R23-202 - Authorize participation in the Fire Mutual Aid Plan and Rapid Deployment Force

Resolution R23-203 - Authorize Tree Mitigation Escrow Refund – 46 Knoll Road

Resolution R23-204 – Authorize Escrow Refund - #PB 1-20-07

Resolution R23-205 – Approve Engineering Escrow Refund – 1 Palmer Avenue

Resolution R23-206 – Approve Engineering Escrow Refund – 9 Forcier Court

Resolution R23-207 – Declare June 11, 2023 as Tenafly Pride Day

Resolution R23-208 – Declare Confirm Participation in the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2024, 2025, 2026

Resolution R23-209 – Authorize Execution of Three Year Cooperative Agreement to Participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2024, 2025, and 2026

Resolution R23-210 – Appoint Borough Representatives - Community Development Regional Committee

Resolution R23-211 – Authorize Refunds – Recreation Trust – Various

Resolution R23-212 – Approve Forfeit of Tree Mitigation Escrow – 83 Highwood Avenue

Resolution R23-213 – Approving Outdoor Seating for Brasserie – 4 Washington Street

Resolution R23-214 – Authorize Renewal of Liquor Licenses – 2023-2024

Resolution R23-215 – Declare June 2nd to be National Gun Violence Awareness Day

C. Dayton read Resolution R23-215 – Declare June 2nd to be National Gun Violence Awareness Day into the record.

Motion by C. Grossman 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 R23-216 - Appoint Human Resources Manager

Motion by C. Dayton second by C. Park that **Resolution R23-216** - Appoint Human Resources Manager be approved.

On a roll call, the vote on **Resolution R23-216** - Appoint Human Resources Manager was recorded as follows:

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

Resolution R23-217 - Amend Resolution #R23-196

Motion by C. Park second by C. Dayton that **Resolution R23-217** - Amend Resolution #R23-196 be approved.

On a roll call, the vote on **Resolution R23-217** - Amend Resolution #R23-196 was recorded as follows:

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

PUBLIC HEARING

A. 2023 Local Municipal Budget

- **Resolution R23-218** –Read Budget by Title Only

Motion by C. Park second by C. Dayton that **Resolution R23-218** – Read Budget by Title Only be approved.

On a roll call, the vote on **Resolution R23-218** –Read Budget by Title Only was recorded as follows:

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

M. Zinna open public comment on the 2023 Local Municipal Budget
None.

Borough Auditor Paul Lerch explained that the amendment was required by the state due to a change in title.

- **Resolution R23-219** –Amend 2023 Local Municipal Budget

Motion by C. Grossman second by C. Park that **Resolution R23-219** –Amend 2023 Local Municipal Budget be approved.

On a roll call, the vote on **Resolution R23-219** –Amend 2023 Local Municipal Budget be approved. was recorded as follows:

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

- **Resolution R23-220** –Adopt 2023 Local Municipal Budget

Motion by C. Dayton second by C. Menon that **Resolution R23-220** – Adopt 2023 Local Municipal Budget be approved.

On a roll call, the vote on **Resolution R23-220** – Adopt 2023 Local Municipal Budget be approved. was recorded as follows:

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

The following ordinances published herewith was first read by title only on May 9, 2023 and posted on the bulletin board of the lobby of the municipal center.

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”

Public Comments on Ordinance No. 23-08
None.

Motion by C. Menon second by C. Park that Ordinance 23-08 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. 23-08 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. 23-10 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF TENAFLY, APPROPRIATING THE AGGREGATE AMOUNT

OF \$2,228,480 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,122,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Public Comments on Ordinance No. 23-10
None.

Motion by C. Michaels second by C. Park that Ordinance 23-10 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. 23-10 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. 23-11 - AN ORDINANCE OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$20,000 FOR ARCHITECTUAL SERVICES FOR THE DEVELOPMENT OF A PRESERVATION PLAN FOR THE TENAFLY HISTORIC RAILROAD STATION

Public Comments on Ordinance No. 23-11
None.

Motion by C. Grossman second by C. Park that Ordinance 23-11 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. 23-11 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. 23-12 - AN ORDINANCE OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$245,000 TO CREATE A MULTI-PURPOSE RECREATION AREA AT THE OLD SKATE PARK AND TIGER CAGE TURF

Public Comments on Ordinance No. 23-12
None.

Motion by C. Park second by C. Dayton that Ordinance 23-12 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. 23-12 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. 23-13 - BOND ORDINANCE SUPPLEMENTING SECTION 3(B) OF BOND ORDINANCE NO. 22-07 FINALLY ADOPTED ON APRIL 26, 2022, PROVIDING FOR THE PURCHASE OF EQUIPMENT BY THE BOROUGH OF TENAFLY, BY APPROPRIATING AN ADDITIONAL \$215,000 THEREFOR AND BY AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$204,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

Public Comments on Ordinance No. 23-13

C. Evron – 39 Leroy Street – Ms. Leroy asked for details concerning ordinance 23-13. Chief Financial Officer Susan Corrado expressed it's to purchase an oil separator for the DPW from a previous bond ordinance.

Motion by C. Dayton second by C. Park that Ordinance 23-13 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. 23-13 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

None.

FOR THE GOOD OF THE ORDER

None.

UPCOMING MEETINGS

None.

NEW BUSINESS

A. Introduction of Ordinance

C. Menon moved that the ordinance be introduced and passed on first reading and setting June 13, 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. 23-14 - AN ORDINANCE TO AMEND THE ARTCILE VI FEES, OF CHAPTER 35 LAND DEVELOPMENT REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, 2004

On a roll call, the vote on Ordinance No. 23-14 was recorded as follows:

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

COMMITTEE REPORTS

C. Grossman reported that a Planning Board meeting that an engineer from the Board of Education came to show drainage behind Smith School to redirect the drainage to the stream. He expressed that he will update the public with developments.

C. Dayton thanked the Welcome Committee for the new resident event.

C. Grossman wanted to recognize TVAC during EMS Recognition week.

C. O' Connor reported that at the Trash-a-thon 150 bag with 400 pounds of litter was collected.

MAYOR'S REMARKS

M. Zinna announced that the Memorial Day Parade sponsored by the Elks will be on Monday, May 29th.

CLOSED SESSION

Mayor Zinna recognized Borough Attorney Wendy Rubinstein Quiroga, who read into the record Resolution 23-221.

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:

- A. Collective Bargaining
 1. PBA Contract Negotiation
 2. DPW Supervisor Contract Update

- B. Personnel
 1. Finance Department
 2. TVAC

- 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. Real Property

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. Park seconded by C. Dayton, and all present voting in favor, the meeting was adjourned to the Closed Session at 09:28 p.m.

ADJOURNMENT

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

Respectfully submitted,

Omar Stovall, MPA, RMC
Borough Clerk