

# **Borough of Tenafly**

## **MAYOR AND COUNCIL**

### **MINUTES**

**TUESDAY, MARCH 7, 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 7:35p.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."

The Salute to the Flag was led by Mayor Zinna

### **PRESENTATION**

#### **Little Free Library - Girl Scout Troop 96970**

Kennedy Rose Jean, Fiona Powers and troop leader LaKreisha Jean of Girl Scout Troop 96970. Ms. LaKreisha Jean asked the Governing Body for its assistance in having Girl Scout Troop 96970's Little Free Library installed. Ms. Jean added that she would like to have the library in a park or by Mackay School. Ms. LaKreisha Jean provided information about the materials needed to build the little library. C. Dayton voiced that she would love have a little library but would like idea of having the little library by the Municipal Center. C. Grossman expressed that he loved the idea but must check to see if the property by Griffin Park is Borough owned. The Governing Body expressed favor of the Little Free Library project. M. Zinna recommended that the troop work out details with the Borough Administrator.

#### **Branding & Wayfinding Recommendations – Giovatto Advertising**

Mr. Steve Aquino introduced himself and Jason Laychock of Giovatto Advertising to the Governing Body. Mr. Aquino voiced to the Governing Body the intent of the project and the presentation. Mr. Jason Laychock voiced the importance of town branding. Mr. Laychock presented to the Governing Body a potential tagline for the Borough "Explore. Enrich. Enjoy." Mr. Laychock began to present to the Governing Body multiple logos and color palettes options. C. O' Connor asked why a dark background was for the presentation. Mr. Laychock explained that it makes the font easier to read and for the secondary colors would pop. C. Grossman asked what materials would be used to produce the signage. Mr. Laychock responded that high-grade aluminum

materials and stainless steel hardware would be used in addition to concrete for the post to withstand strong winds. C. Grossman asked what is the life expectancy for the signs. Mr. Aquino responded 20 to 25 years.

J. Corsair – 92 Woodland Street – Expressed that when deciding on what option are best to think in terms of a marketing standpoint. She added that orange connects the Borough together.

J. Krieger – 163 Highwood Avenue – Mr. Krieger expressed that the color orange pops and brings attention to the downtown.

- A. Evron – 39 Leroy Street – Ms. Evron expressed that she loved the first log. She added that modern take on the logo was jarring especially because Tenafly is a historically town.

After a discussion, the Governing Body chose logo option 1 with a orange and black color palette. Chief Financial Officer Susan Corrado added that Giovatto Advertising project has a request of \$150,000. Ms. Corrado explained that an ordinance would need to be adopted at \$115,000. C. Dayton asked if the project could be done in piecemeal. Ms. Corrado recommended that the project be done in its entirety. M. Zinna voiced that data is needed for the signs that the Borough currently has and where signs are needed.

## **TO BE CONSIDERED**

### **2023 Riverside Co-Op Road Paving**

Mr. Hipolit explained that the price of roads had decreased. M. Zinna asked how the roads were decided. Mr. Hipolit explained that he and Mr. Cassidy had separate list and compared each list. C. Menon recommended lowering the road program to accommodate installation of sidewalks. Mr. Hipolit explained what is allowed in the Cooperative. C. Grossman asked that is going to be achieved on Dean Drive. Mr. Hipolit expressed that the road is heavily traveled and if not done the repaving cost will increase in the future. C. Dayton expressed that she would like to know if bikes paths could be added. Mr. Hipolit expressed that bike paths is not part of the Riverside Cooperative but recommended that a discussion should be had with a safety committee. C. Dayton expressed that she is looking to add Sisson Terrace to the roads list. Mr. Hipolit agreed to place Sisson Terrace. Mr. Hipolit added that in order to have a bike lane a bike lane plan would be needed from the municipality. C. O' Connor asked if the sidewalks could be done. Mr. Hipolit explained the history of the co-op. Mr. Hipolit expressed that he will added Sisson to the list and submit to the co-op. M. Zinna asked when will he report back to the Governing Body. Mr. Hipolit expressed mid-April.

### **Tenafly Salt Shed Assessment**

Mr. Homsy reported that the recommendation is to repair the salt shed opposed to replacing the Salt Shed. He added that \$125,000 was placed in the capital budget to fund the either the replacement or repair. M. Zinna asked Mr. Hipolit his opinion of the report. Mr. Hipolit expressed that it was consistent in what Colliers had discovered. Chief Financial Officer Susan Corrado explained that this a capital item and recommended to build the correct way. C. Grossman expressed what needed is what is cost effective if the structure is rebuilt. M. Zinna asked the next steps. Mr. Homsy expressed that more funds need to be allocated through a supplemental bond ordinance and then to go out to bid, Mr. Hipolit explained that the three options are to renew and certify, repair and add a new top, or demolition and rebuild. Chief Financial Officer Susan Corrado expressed that \$375,000 would have to be added to the \$125,000.

## **Tree Ordinance Update**

C. O' Connor voiced that replacement trees are not being replaced into properties. She added that this is damaging the town by not compelling people to replace trees. C. O' Connor asked if legally could the ordinance be strengthened to have the tree placed. Borough Attorney Wendy Rubinstein Quiroga expressed that she not comfortable discussing legal implications in open session. Mr. Cassidy expressed that the property owners plan how the property is laid out and he cannot stop how the homeowners would like to have their property. C. Dayton asked if there is a regulation against the clear cutting of property. C. O' Connor asked Mr. Cassidy to provide information about the removal of mature trees versus arborvitaes. Mr. Cassidy explained that arborvitaes do not have the same impact to the environment that a mature tree has especially with water retention and providing shade. Borough Attorney Wendy Rubinstein Quiroga expressed that she will do research and come back to the Governing with answers.

The Governing Body Decided to move the Potential Grants for Open Space Trust Fund Programs discussion.

## **Potential Grants for Open Space Trust Fund Programs**

C. Dayton voiced the idea of building a bathroom for Walnut Park. Mr. Hipolit expressed that Open Space Trust Funds does not fund buildings. He added that CDBG grant could. Wendy asked if a handicap accessible component is needed for CDBG and would score more points for Open Space trust. The Governing Body began to discuss potential grant options.

T. Vaimakis - 20 Royden Road – expressed he notice a grass area during baseball game where families sit and eat. He asked if that existing area qualify.

Mr. Hipolit expressed that it could be done but if it is Board of Education property it cannot done.

Eva Lerner-Lam - 221 Devon Road - expressed that her house was flooded due to no soil erosion control. She entered into the record photos of a construction site. Ms. Lerner- Lam she added soil and rock run off came into her property.

The Governing Body recommend to the Borough Administrator to look into proposals for the Sports Cage and an inclusive playground in Walnut Park.

## **Outdoor Dining Discussion**

Mr. Homsy explained that letters were sent to business owners in advance to discuss outdoor dining.

T. Vaimakis - 20 Royden Road – expressed that during COVID was a difficult time and thanked the Governing Body. Mr. Vaimakis expressed that downtown has a mix of businesses and that some businesses do not benefit from outdoor dining. Mr. Vaimakis believed that outdoor dining should not be extended. C. Dayton asked about the benefits between dining in parking spots versus dining on sidewalks. Mr. Vaimakis believed that it could done universally done or stopped completely. C. Dayton voiced that there an interest in blocking off the street on Saturday and Sundays for outdoor dining. Thomas expressed that it would be difficult to store table and chairs. He added if the sidewalks were made larger, outdoor dining could be successful.

M. Zinna asked C. Menon his opinion on the topic. C. Menon believed that parking spots should not be given for outdoor dining.

C. Dayton expressed that charging business for outdoor dining defeats the purpose of why outdoor dining was implemented. C. Michaels believed that outdoor dining is a benefit to both the residents and businesses.

C. Evron – 39 Leroy Street – expressed that some businesses had expressed their position at past meetings and was not interested in coming to a third meeting.

Mr. Homsy expressed that he seek feedback to proceed. The Governing Body decided to not extend outdoor dining. The Governing Body voiced to discuss Café Angelique outdoor dining at a upcoming Council Meeting.

### **Solid Waste Contract**

Mr. Homsy asked the Governing Body to review and the item will be on the next meeting.

### **Police Hiring Update**

Mr. Homsy reported that at the Police Commission meeting he received information of a retirement and the Police Chief would like fill the position. C. Menon suggested to discuss during the Budget Hearing. Borough Attorney Wendy Rubinstein Quiroga expressed that there maybe a deadline. M. Zinna asked Mr. Homsy to discuss with the Police Chief and to report at the next meeting.

### **AARP Community Challenge**

C. Dayton asked the Governing Body for permission to allow the pursuit of this grant. M. Zinna asked how much is it to apply for the grant. C. Dayton answered \$2,500. The Governing Body agreed to proceed if the funding makes sense to proceed.

### **ADMINISTRATOR REPORT**

Mr. Homsy provided the Administrator report to the Governing Body.

### **CORRESPONDENCE**

A. R. Lindsley RE: Tree Removal – 150 Hudson Avenue

Mr. Cassidy recommended that the tree be removed. The Governing Body agreed to allow the removal of the tree.

### **PUBLIC COMMENTS**

C. Evron – 39 Leroy Street – Ms. Evron suggested having carts available downtown for handicap persons.

M. Bruno – 148 Newcomb Road – Mr. Bruno voiced that a large tree fell on his property. Mr. Bruno asked the Governing Body what is going to be done. Borough Attorney Wendy Rubinstein Quiroga explained that the access is not Borough property and property touching that area have access to that area. M. Zinna offered to speak with Mr. Bruno within the course of the week.

Eva Lerner-Lam - 221 Devon Road - Ms. Lam asked the Governing Body to look into why 1894 is being added to the signage that was presented earlier tonight. She believed having 1894 associated with the train station could be confusing to some as to when the train station was built and when the Borough was incorporated. Ms. Lerner - Lam suggested that the Borough should contact Bergen Soil Control District to get infrastructure funding.

**CONSENT AGENDA**

- Resolution R23-104** – Approve Expenditures as of March 1, 2023
- Resolution R23-105** – Approve Forfeit of Tree Mitigation Escrow – 21 Hodskin Place
- Resolution R23-106** - Authorize Tree Mitigation Escrow Refund – 40 Hillside Avenue
- Resolution R23-107** – Approve Tree Mitigation Escrow Refund and Transfer to the Shade Tree Trust Account – 57 Norman Place
- Resolution R23-108** – Authorize Tree Mitigation Escrow Refund – 70 Woodland Park Drive
- Resolution R23-109** – Approve Forfeit of Tree Mitigation Escrow – 132 Buckingham Road
- Resolution R23-110** – Authorize Tree Mitigation Escrow Refund – 132 Buckingham Road
- Resolution R23-111** – Authorize Tree Mitigation Escrow Refund – 186 County Road
- Resolution R23-112** – Authorize Tree Mitigation Escrow Refund – 281 Devon Road
- Resolution R23-113** – Authorize Tree Mitigation Escrow Refund – 337 Engle Street Refund
- Resolution R23-114** – Amend Resolution #R22-180
- Resolution R23-115** – Approve Refunds – Recreation Department – Various
- Resolution R23-116** – Approve Raffle Licenses Numbers 1267-1268
- Resolution R23-117** – Approve LOSAP Certification List – Tenafly Fire Department
- Resolution R23-118** – Approve LOSAP Certification List – Tenafly Volunteer Ambulance Corps.

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 R23-57** - Award Contract – Sanitary Sewer System - Piermont Road Sinkhole & Piping Repairs
- Resolution R23-58** - Authorize Engineering Construction Inspection Services - Piermont Road Sinkhole & Piping Repairs
- Resolution R23-91** – Approve Tree Mitigation Escrow Refund and Transfer to the Shade Tree Trust Account – 15 Leslie Place
- Resolution R23-99** – Amend 2023 Meeting Schedule – 2023 Municipal Budget Hearing Meetings
- Resolution R23-119** – Award Contract – Employee Assistance Program for 2023
- Resolution R23-120** – Award Contract – Animal Control Services for 2023
- Resolution R23-121** – Execute Solid Waste Services Agreement
- Resolution R23-122** – Award Contract – 2023 Annual Fireworks Display

Motion by C. Grossman second by C. Park 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

**OLD BUSINESS**

**A. Naming Committee Update**

Item carried to next meeting.

**B. TVAC Ordinance**

Item carried to next meeting.

**C. E- Bike Code Recommendation**

Item carried to next meeting.

**Minutes** to be approved: January 24, 2023 Mayor and Council Meeting  
February 7, 2023 Mayor and Council Meeting

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

BE IT RESOLVED that the Minutes of the January 24, 2023 Mayor and Council Meeting, February 7, 2023 Mayor and Council Meeting, and February 7, 2023 Closed Session be approved.

**FOR THE GOOD OF THE ORDER**

None.

**UPCOMING MEETINGS**

None.

**NEW BUSINESS**

**A. Introduction of Ordinance**

C. Park moved that the ordinance be introduced and passed on first reading and setting March 21, 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. O’ Connor:

The Borough Clerk read into the record:

ORDINANCE NO. 23-01– AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF THE SCHOOL CROSSING GUARDS OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE CALENDAR YEARS 2023, 2024, 2025, AND 2026

On a roll call, the vote on Ordinance No. 23-01 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 the fireworks will be on Saturday, July 8<sup>th</sup> with Divinity Rock serving as the entertainment.

## **MAYOR'S REMARKS**

Mayor Zinna asked if there is interest in the Human Resource Manger Search Committee. C. Menon, C. Grossman, and C. Dayton agreed to be on the Human Resource Manger Search Committee.

## **CLOSED SESSION**

Mayor Zinna recognized Borough Attorney Wendy Rubinstein Quiroga, who read into the record Resolution 23-123.

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. 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. Affordable Housing Update
  - 2. Monopole Lease
  - 3. Negotiations for Shared Services Agreement
  - 4. Potential Litigation (Two Labor and Employment Matters)
  
- B. Collective Bargaining
  - 1. Department of Public Works Foremen's Labor Negotiations Update

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. Michaels , and all present voting in favor, the meeting was adjourned to the Closed Session at 10:08 p.m.

## **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 11:06p.m.

Respectfully submitted,

Omar Stovall, MPA, RMC  
Borough Clerk