

Borough of Tenafly

MAYOR AND COUNCIL

MINUTES

TUESDAY, MARCH 21, 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 6:32p.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. NOTICE OF THIS MEETING BY THE MARCH 17, 2023 SUNSHINE NOTICE HAS BEEN SENT TO THE RECORD, THE SUBURBANITE, AND NORTHERN VALLEY PRESS AND HAS BEEN POSTED ON THE PUBLIC BULLETIN BOARD IN THE LOBBY OF THE MUNICIPAL CENTER AND BOROUGH WEBSITE"

CLOSED SESSION

Mayor Zinna recognized Borough Clerk Omar Stovall, who read into the record Resolution 23-124.

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. Potential Litigation

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 06:30 p.m.

At 7:37 pm 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. NOTICE OF THIS MEETING BY THE MARCH 17, 2023 SUNSHINE NOTICE HAS BEEN SENT TO THE RECORD, THE SUBURBANITE, AND NORTHERN VALLEY PRESS AND HAS BEEN POSTED ON THE PUBLIC BULLETIN BOARD IN THE LOBBY OF THE MUNICIPAL CENTER AND BOROUGH WEBSITE"

The Salute to the Flag was led by Mayor Zinna

TO BE CONSIDERED

NJ Historic Trust (NJHT) – Capital Preservation Grants Program

Mr. Homsi explained that through the grants portal that he provided grants relevant to the Historic Preservation Commission. He added that the Inness Gates repair would be difficult to fund through the grant program. C. Grossman added that the state or the federal government has not designated Inness Gates as historical but the county has. C. Dayton asked if this grant could be considered for a Women's Suffrage Museum. C. Grossman expressed that it has been discussed but a location of the museum needs to be decided. J. Homsi expressed that a fire suppression system could be considered for a grant opportunity at the Elizabeth Cady Stanton Train Station. M. Zinna asked what is next. Mr. Homsi explained that it would be beneficial to the HPC as the fire suppression system would create efficiencies in the building for a reasonable cost. Mr. Homsi explained that the project is eligible for a grant through the State or the County's Open Space trust grant. J. Homsi added the historic preservation plan is \$20,000. M. Zinna asked what is favorable applying to the County or State grant program. J. Homsi responded that applying for the County's grant program would be most favorable. C. O' Connor expressed that she remembers that Borough Engineer Andy Hipolit explained that only one program could be applied for through the Open Space Element. C. Grossman suggested to fund the historic preservation plan through the Borough's Open Space. Mr. Homsi noted that the historic preservation plan would be funded in 2023 through the Borough's Open Space.

Memorial Day Banner

Mr. Homsi explained that C. O' Connor suggested a banner to be used at Borough events. C. Michaels suggested that Giovatto Advertising could provide a mock-up for a banner. C. Michaels expressed that he'll contact Giovatto regarding the banner design.

Solid Waste Contract

Mr. Homsi explained to the Governing Body that the current Solid Waste Contract is set to expire in April 2024. Mr. Homsi presented a redline of specifications to the Government Body to review before getting authorization to go out to bid. Mr. Homsi added that the options are the same from the previous specifications. M. Zinna expressed that bids could be rejected by the Governing Body if it chooses. Borough Attorney Wendy Rubinstein Quiroga explained that it could be rejected within the statutes, especially if it exceeds the budgeted amount. C. Menon asked if there is a budget impact. Chief Financial Officer Susan Corrado expressed that she is concerned about the rejection of the bid

since there is no budget. Ms. Rubinstein Quiroga responded that estimates could be determined from appropriations from prior years. The Governing Body will agreed that in the resolution for authorization to bid that language concerning vegetative materials be added.

Potential Grants for Open Space Trust Fund Programs

C. Michaels expressed that the multi cage option would allow for a larger grant award. C. Park expressed that he is looking to expand the project. C. Dayton added that combining two items for one contiguous project would make sense and that she loved the idea. C. Menon expressed that he would like a master plan without executables. The Governing Body expressed that it would like to proceed with three items: master plan, planner, multi-use cage for the Open Space Trust Fund.

C. Dayton asked for Walnut Park be considered for Open Space. M. Zinna directed that the Walnut Park discussion be added on the April 18th meeting.

Roosevelt Pond Landscaping

C. Dayton expressed that she discussed with Mike Cassidy about the beautification of the pond. C. Grossman expressed that willows were once in the area, which was attracting geese.

ADMINISTRATOR REPORT

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

C. Dayton expressed that the Borough look into at a grant for stormwater assistance. Mr. Homsy explained that he is working with Mr. Hipolit in planning for grant.

M. Zinna expressed that the Bliss Avenue Bridge is opening is coming shortly with a ribbon cutting ceremony to come.

PUBLIC COMMENTS

C. Evron – 39 Leroy Street – Ms. Evron asked for clarification concerning composting. Ms. Evron asked if the material is disposed of at the DPW or out of town. M. Zinna explained the process of composting and then that answered that the material is carted out of town. Ms. Evron asked about the disposal of garbage and vegetative waste material. Ms. Evron inquired about a landscaping plan for Roosevelt Commons. C. Grossman replied that area is to be ever changing. C. Evron asked Mr. Homsy to voice his Administrator Report. Mr. Homsy expressed that he would email the report to her.

A. Dennison – 139 Sunset Lane - she believed that the skate park should be built to allow herself and her brother a safe environmental to skateboard.

Evan – 109 Hudson Ave – Evan expressed that he always wanted to skate but did not have a property area to skate. He added that the general proximity of the park to the school would allow for more people to enjoy.

J. Gou – 106 Sunset Lane – She expressed that the skate park near the school is a good place to meet friends.

CONSENT AGENDA

- Resolution R23-125** – Approve Expenditures as of March 15, 2023
- Resolution R23-126** – Authorize Tree Mitigation Escrow Refund – 35 Suffolk Lane
- Resolution R23-127** - Authorize Tree Mitigation Escrow Refund – 35 Suffolk Lane
- Resolution R23-128** – Authorize Professional Engineering Services – 2021 NJDOT Various Streets (Engle Street) Project
- Resolution R23-129** – Award Contract - NJDOT Various Streets 2021 Project - 4 Clean-Up INC
- Resolution R23-130** – Authorize Refund – Disabled Veteran Tax Exemption – Block 810, Lot 21
- Resolution R23-131** – Approve Engineering Escrow Refund – 244 County Road
- Resolution R23-132** –Appoint Interim Human Resources Manager
- Resolution R23-133** – Approve Redemption of Tax Lien – Block 1309, Lot 9.3203
- Resolution R23-134** – Approve Refunds – Recreation Department – Various
- Resolution R23-135** – Approve Engineering Escrow Refund – 34 Kenwood Road
- Resolution R23-136** – Approve Engineering Escrow Refund – 15 Coppell Drive
- Resolution R23-137** – Approve Engineering Escrow Refund – 15 Leslie Place
- Resolution R23-138** – Approve Engineering Escrow Refund – 19 North Summit Street
- Resolution R23-139** –Approve Engineering Escrow Refund – 57 Norman Place
- Resolution R23-140** – Approve Engineering Escrow Refund – 69 Joyce Road
- Resolution R23-141** – Authorize Auction of Surplus Property
- Resolution R23-142** – Approve Raffle Application RA 1269
- Resolution R23-143** –Authorize Refund – Tax Court Judgment – Block 808 Lot 21 – Jacobus
- Resolution R23-144** –Authorize Refund – Tax Court Judgment – Block 1505 Lot 2 – Hofer
- Resolution R23-145** – Authorize Refund – Tax Court Judgment – Block 703 Lot 11 – Vespasiano
- Resolution R23-146** –Approve Temporary Budget 2023
- Resolution R23-147** – 2022 Appropriation Reserve Line Item Transfers
- Resolution R23-148** – Authorize the Cancellation of Stale Checks for the Municipal Court
- Resolution R23-149** –Authorize Submission of Strategic Plan for the Tenafly CAP Municipal Alliance
- Resolution R23-150** – Award Contract – Integrated Rat Control Program
- Resolution R23-151** – Adopt Temporary 2023 Capital Budget

C. Menon asked that resolutions **Resolution R23-128** – Authorize Professional Engineering Services – 2021 NJDOT Various Streets (Engle Street) Project **Resolution R23-129** – Award Contract - NJDOT Various Streets 2021 Project - 4 Clean-Up INC, **Resolution R23-132** –Appoint Interim Human Resources Manager, **Resolution R23-146** –Approve Temporary Budget 2023, **Resolution R23-147** – 2022 Appropriation Reserve Line Item Transfers, and **Resolution R23-151** – Adopt Temporary 2023 Capital Budget be pulled from the Consent Agenda for separate votes.

Motion by C. Dayton second by C. Michaels 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 |

Resolution R23-128 – Authorize Professional Engineering Services – 2021 NJDOT Various Streets (Engle Street) Project and **Resolution R23-129** – Award Contract - NJDOT Various Streets 2021 Project - 4 Clean-Up INC

Motion by C. Dayton second by C. Grossman that Resolutions R23-128 – Authorize Professional Engineering Services – 2021 NJDOT Various Streets (Engle Street) Project and R23-129 – Award Contract - NJDOT Various Streets 2021 Project - 4 Clean-Up INC be approved.

On a roll call, the vote on Resolutions R23-128 – Authorize Professional Engineering Services – 2021 NJDOT Various Streets (Engle Street) Project and Resolution R23-129 – Award Contract - NJDOT Various Streets 2021 Project - 4 Clean-Up INC was recorded as follows:

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

Resolution R23-132 –Appoint Interim Human Resources Manager

Motion by C. Grossman second by C. Dayton that **Resolution R23-132** –Appoint Interim Human Resources Manager be approved.

On a roll call, the vote on Resolution R23-132 –Appoint Interim 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 R23-146 –Approve Temporary Budget 2023 and **Resolution R23-147** – 2022 Appropriation Reserve Line Item Transfers

Motion by C. Michaels second by C. Park that **Resolutions R23-146** –Approve Temporary Budget 2023 and **R23-147** – 2022 Appropriation Reserve Line Item Transfers be approved.

On a roll call, the vote on Resolutions R23-146 –Approve Temporary Budget 2023 and R23-147 – 2022 Appropriation Reserve Line Item Transfers was recorded as follows:

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

Resolution R23-151 – Adopt Temporary 2023 Capital Budget

Motion by C. Michaels second by C. Park that **Resolution R23-151** – Adopt Temporary 2023 Capital Budget be approved.

On a roll call, the vote on **Resolution R23-151** – Adopt Temporary 2023 Capital Budget was recorded as follows:

C. Dayton:	aye	C. Michaels:	nay
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 7, 2023 and posted on the bulletin board of the lobby of the municipal center.

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

Public Comments on Ordinance No. 23-01

None.

Motion by C. Park second by C. Michaels that Ordinance 23-01 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. 23-01 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

C. O' Connor read to the Governing Body the language to be inscribed on a plaque in dedication to the memory of the former Borough Attorney William McClure. C. O' Connor added that guidelines are needed to honor the dead and the living. She added possibilities of honoring employees and volunteers on plaque to be located in Borough Hall.

C. Dayton expressed that she is happy that the Borough is moving forward with honoring Bill McClure. She added that it would be a nice touch to have the plaque at the April meeting. Mr. Homs expressed it would be difficult to get a plaque before the April meeting.

B. TVAC Ordinance

Borough Attorney Wendy Rubinstein Quiroga updated the Governing Body that there has been discussions about potential increasing the base level of how points are earned by TVAC members. Ms. Rubinstein Quiroga expressed that she and the CFO had went through the numbers, which would be \$2,500 per member. She recommended it be budgeted as if each member was to receive the maximum benefit. TVAC Captain JP Pedoto expressed that he was like to discuss further at the upcoming Budget Hearing Meeting. He added that the numbers were tweaked from the prior years numbers on what is attainable.

C. E- Bike Code Recommendation

Mr. Homs expressed received a concern from a resident concerning electronic bikes. Mr. Homs added that Chief Chamberlain provided his recommendation to include E- Bikes under the definition of bikes to be added to the ordinance.

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

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

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

FOR THE GOOD OF THE ORDER

C. Dayton – C. Dayton asked that the Borough work with Colliers to consider a project at Sunnyside Park. M. Zinna asked to have Mr. Hipolit at the next council meeting to discussed further.

UPCOMING MEETINGS

TVAC Ordinance.
E- Bike Ordinance

NEW BUSINESS

A. Introduction of Ordinance

C. Michaels moved that the ordinance be introduced and passed on first reading and setting April 18, 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. 23-02– 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

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

C. Menon moved that the ordinance be introduced and passed on first reading and setting April 18, 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. 23-03– AN ORDINANCE OF THE BOROUGH OF TENAFLY, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$10,000 FOR THE FROGGY PARK SIGN AND SPINNER

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

C. Grossman moved that the ordinance be introduced and passed on first reading and setting April 18, 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. 23-04– 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

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

C. O’ Connor moved that the ordinance be introduced and passed on first reading and setting April 18, 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. 23-05– 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

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

COMMITTEE REPORTS

C. Park no report.

C. Grossman reported that the Historic Preservation Commission met and heard an application for a minor fence. He added that the HPC looked into centennial. C. Grossman explained that the plaque does not designate the home as historic but rather to commemorate the age of the home.

C. Grossman reported that Tenafly Present is ready with its acts for the summer concerts. He announced that Divinity Roxx is kicking off the concert. He urged the public to support the concert.

C. Dayton reported that on May 17th the Welcome Committee would be hosting its new resident event at the fire house. C. Dayton reported that the Pride Committee has submitted dates for the Pride Event.

C. Menon reported that the Senior Center has had many events. C. Menon reported that the Center has had coffee clutches. C. Menon added that on May 20th the Senior Center will be having a health fair.

C. Menon reported that the Zoning Board Adjustment heard an application with an in ground pool which was approved. He continued that the second application for the variance for the steep slope was denied.

C. Michaels reported that the Recreation Committee has over subscribed for Boys and Girls Lacrosse. C. Michaels added that due to short staff that it has been difficult to line fields. C. Michaels reported that Easter bunny brigade is scheduled for Wednesday, April 5th in Peace Plaza. C. Michaels thanked the Downtown Committee for its work on the Way Finding project.

C. O' Connor reported that the Environmental Commission is having a stream clean up with the Hackensack River keeper Alliance. C. O' Connor reported that the Trash-a-thon is scheduled for May 7th. C. O' Connor reported that the COVID memorial ribbon cutting ceremony would be on Sunday, June 11th. C. O' Connor reported that EV Charging Committee has extended its review time to see if there are any questions or concerns. C. O' Connor reported that a Stigma Free resolution is on the horizon for an upcoming council meeting. C. O' Connor expressed the need for Access for All Committee members. C. O' Connor reported that a health educator would be available during the street fair.

MAYOR'S REMARKS

Mayor Zinna expressed that at Huyler Park there will be a Crescent lighting for the start of Ramadan.

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 9:37p.m.

Respectfully submitted,

Omar Stovall, MPA, RMC
Borough Clerk