

# Borough of Tenafly

## MAYOR AND COUNCIL

### MINUTES

**TUESDAY, MAY 11, 2021**

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

ABSENT: None

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

At 9:02 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."

The Salute to the Flag was led by Mayor Zinna

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

BE IT RESOLVED that the Minutes of the April 27, 2021 Regular Meeting and April 27, 2021 Closed Session (not to be released to the public) are approved.

#### **REVISIONS TO AGENDA:**

Mrs. Rubinstein advised that #R21-209/Adopt 2021 Local Municipal Budget hearing would be held but the resolution to adopt would not.

#### **PUBLIC COMMENTS:**

Max Basch – 148 Magnolia Avenue – Mr. Basch voiced that in the past 7 years that recreation had took all of the open space funding. He added very little was left for maintenance and nothing for acquisition. Mr. Basch stated that when his was on the Council there was a plan to purchase a property on 53 Knickerbocker Road. He added that due to interference so much open space funds were spent on recreation He believed that the borough had moved from the primary purpose of open space. He expressed that support of the acquiring the property by Municipal Field and the refreshing of Roosevelt Common and the swim club. He expressed if possible and to allow for active activity space, but not to use for only recreation.

Zina Spezakis – 157 Hudson Avenue - Ms. Spezakis expressed that she like Volta's proposal. She present a slide to the Governing Body concerning the heat island impact. She explained that its cause is due to urban areas are several degree warmer than the surrounding areas. Ms. Spezakis

addressed the dangers of synthetic turf. She added that dangers come from the chemicals used in the turf.

Christine Evron – 39 Leroy Street – Ms. Evron voiced that when Northern Valley Greenway hired a consultant who asked for comments. She believe that that Borough should incorporate that idea to allow comments before a project is moved along. Ms. Evron believed that should be prepared to use Open Space funds to purchase large properties in Tenafly.

Lisa Melman – 32 Sussex Road – Ms. Melman expressed that there have been a lot of home tear downs with destroyed many trees. She expressed favor in the open space plan to replenish the biodiversity in the Borough. She added that there is a gray area within the active vs passive discussion of the open space plan. She added that the Borough should invest more into arts and culture.

Carole Hodges – 40 Westervelt Avenue - Ms. Hodges advocated for an extension of the community garden. She added the extension would incorporate native plants and shrubs. She added that last year was good for gardener.

Martin Gilbert – 12 Leonard Avenue - Mr. Gilbert would like the swim club to become a passive park. He would like to have an area dedicated to those who lost their lives to Covid-19. Mr. Gilbert expressed that he would like to see raised beds in the community garden. He expressed that he is against the building of community center and that the Borough needs to take care of what they have. He added that the McCandless room is underutilized and the room needs to be reconfigured to become useful.

## **CONSENT AGENDA**

- A. #R21-186/** Approve Expenditures as of May 5, 2021
- B. #R21-187/** Oppose Forest Management Bills (A-4843/S-3549, A-4844/S-3550, A-4845/S-3548, and A-3086/S-2001)
- C. #R21-188/** Authorize submission of Strategic Plan for the Palisades Triborough CAP  
Municipal Alliance
- D. #R21-189/** Authorize Sale of Surplus Property – Police Department
- E. #R21-190/** Authorize the Sale of 1973 Hahn Rescue Fire Truck
- F. #R21-191/** Authorize Refund of COAH Fee – 1-5 Hamilton Place, LLC
- G. #R21-192/** Authorize Refunds – Recreation Trust – Various
- H. #R21-193/** Authorize Issuance of Purchase Order – 2020 Micro-Surfacing Project
- I. #R21-194/** Approve Contract – 2021 Riverside Cooperative Road Improvement Program
- J. #R21-195/** Authorize Additional Professional Engineering Services – Theodore Roosevelt Monument Lighting Project
- K. #R21-196/** Intend to Work Cooperatively for the Planning and Development of a Green Way within the Municipalities of Tenafly, Englewood, Cresskill, Demarest, Closter, Norwood and Northvale, Hereto Referred to as the Northern Valley Towns
- L. #R21-197/** Execute Solid Waste Services Agreement
- M. #R21-198/** Authorize Refund – Tax Court Judgment – Block 2004 Lot 11 – Wolf Vespasiano LLC
- N. #R21-199/** Authorize Refund – Tax Court Judgment – Block 3101 Lot 10 – Zipp & Tannenbaum LLC
- O. #R21-200/** Authorize Refund – Tax Court Judgment – Various – Hofer
- P. #R21-201/** Authorize Refund – Tax Court Judgment – Various – Spiotti & Associates, P.C.
- Q. #R21-202/** Authorize Refund – Tax Court Judgment – Block 3103 Lot 11
- R. #R21-203/** Authorize Sale of Surplus Property – Department of Public Works - 1999 GMC Yukon

- S. #R21-204/** Authorize Sale of Surplus Property – Department of Public Works -1972 O’Brien Power Rodder
- T. #R21-205/** Authorize Refund – Tax Court Judgment – Rutigliano
- U. #R21-206/** Authorize Refund – Tax Court Judgment – Cossio
- V. #R21-207/** Approve Street Opening Refund

Motion by C. Dayton, 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

All members present voting in favor, the Consent Agenda was approved.

**PUBLIC HEARINGS**

A. 2021 Local Municipal Budget

- **#R21-208/**Read Budget by Title Only

Motion by C. Michaels, second by C. Dayton that the reading of the 2021 Local Municipal Budget by title only be approved.

On a roll call, the vote on **#R21-208/**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

Public Comments on 2021 Local Municipal Budget

Christine Evron – 39 Leroy Street – Ms. Evron asked where is the budget online. Mr. Stovall explained that the budget would available once the budget is adopted.

- ~~**#R21-209/**Adopt 2021 Local Municipal Budget~~

No action taken. Budget has not been review by the State.

B. Ordinances:

The following ordinances published herewith was first read by title only on April 27, 2021 and posted on the bulletin board of the lobby of the municipal center.

The Borough Clerk read into the record:

ORDINANCE NO. 21-10 - AN ORDINANCE TO FIX THE SALARY, WAGE, OR COMPENSATION OF CERTAIN MANAGEMENT, ADMINISTRATIVE, CIVILIAN DISPATCHERS, AND PART TIME EMPLOYEES OF THE BOROUGH OF TENAFLY IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, FOR THE CALENDAR YEARS 2020, 2021, 2022 & 2023.

Public Comments on Ordinance No. 21-10  
None.

Motion by C. Grossman, second by C. Park that Ordinance 21-10 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. 21-10 was recorded as follows:

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

The Borough Clerk read into the record:

ORDINANCE NO. 21-11 – AN BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF TENAFLY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,955,476 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$219,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$2,814,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Public Comments on Ordinance No. 21-11

None.

Motion by C. Dayton, second by C. Park that Ordinance 21-11 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. 21-11 was recorded as follows:

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

#### C. County Open Space Application

- **#R21-210/**Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Municipal Field Improvements Project

Ms. Kelsey Howard of Colliers presented the proposed Municipal Field Improvements Project to the Governing Body. Ms. Howard explained that in collaboration with the Recreation Director it was decided to pursue a grant for improvements to Municipal Field. Ms. Howard explained the project would include landscaping improvements, fencing to protect spectators, a concrete pad and bleachers. She added that the total estimated cost is \$130,400 and the grant is a 50% matching grant at \$65,200.

C. Dayton asked if the baseball field and snack shop been considered for this grant. Ms. Howard expressed that the location C. Dayton referred to was not consider. C. Dayton asked if there was time to explore that site. Ms. Howard explained that the project has been advertised for public hearing and that grant application is due on May 14<sup>th</sup>. C. Dayton asked how could the Borough reduce the cost of the project. Ms. Howard suggested to proceed with the application and to scale back the project once awarded. C. Park expressed that he would scale back on the asphalt driveway portion of the project. He continued and asked if there was a safety reason why the driveway was needed. Ms. Howard responded that it was to improve the access to the area. M. Zinna expressed that if the Governing Body is interested in scaling after the grant is awarded it would be their decision, but cautioned about a redesign of the project. C. Dayton expressed that the project is expensive and that the rush to proceed is inappropriate. M. Zinna stated that the Governing Body

approved the resolution to proceed with the application. Mr. Homsy explained that an intent to apply was submitted which does not tie the Borough to a specific project. He continued that due to the timing that it is time to submit a project. C. Dayton wished to have had other options presented. M. Zinna asked when the opportunity was presented to the Borough. Ms. Howard answered that the letter of intent was due April 9<sup>th</sup> and the county announced the opportunity in March. She added that the grant opportunity is an annual grant submitted every year. Ms. Howard added that she spoke to the Recreation Director who provide suggestions for projects in need. Ms. Howard explained that she prepared a memo with the scope of the project. M. Zinna asked what is the percentage split of the project. Ms. Howard explained that it would be 50% at \$65, 200. C. Dayton expressed that the Governing Body did not see the details. She believed that to show the project three before the project is due is improper. C. Grossman expressed that in the past for the Bergen County Open Space grant that there has been plenty of discussion and was how the Governing Body decided on Oresko Park improvements from the previous year. He added that estimated cost is \$130,400 but the declaration of intent is listed at \$110,000 and \$55,000 is listed as the matching portion. C. Grossman expressed he is not in favor of the asphalt path because the area is foul territory during baseball and does not want to see an accident. Ms. Howard explained that the \$110,000 in the letter of intent is an amount to give the county an idea of what is being applied for, which is prior to having the detailed project being presented. C. Menon asked if the grant could be applicable other departments besides the Recreation Department. C. Park explained that the grant is for recreation improvements. Ms. Howard expressed that she was under the assumption that the Governing Body was aware of the project. C. Menon asked why wasn't this project not added during the budget process. M. Zinna expressed that the project got ahead of the council. Ms. Corrado expressed that there is no monies allocated for the project in the capital budget but however if the Governing Body decides to, could use municipal open space funds, or an ordinance would have to be adopted to incur additional debt. Ms. Howard explained that the award of the grant would be present to the Governing Body around March of 2022. C. Dayton expressed that she does not want to miss a grant opportunity. She recommended to have bleachers and to remove the other elements of the project. C. Park asked that the Governing Body should submit the application as constituted or revise and then submit. Ms. Howard recommend to submit the application as constituted. She added that the Borough should request a scope change once the grant is award. C. Michaels expressed that he is supportive of C. Dayton's recommendation. M. Zinna asked Ms. Rubinstein is there was any legal ramifications of changing the scope of the project. Ms. Rubinstein explained that no it would not be and could be changed. C. O' Connor expressed concern if the award was not adjusted. Ms. Howard expressed that she would speak to the county.

Public Comments on #R21-210/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Municipal Field Improvements ProjectNone.

Motion by C. O' Connor, second by C. Dayton that **#R21-210/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Municipal Field Improvements Project** be approved.

On a roll call, the vote **#R21-210/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Municipal Field Improvements Project** was recorded as follows:

On a roll call, the vote on R21-210 was recorded as follows:

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

C. Dayton proposed that the Governing Body consider purchasing the bleachers. M. Zinna asked Mr. Homsy and Ms. Corrado to present a recommendation to purchase bleachers.

### **Committee Reports**

C. Dayton reported thanked the Governing Body for passing the Northern Valley Greenway to authorize a liaison and two committee members to vote to advance the Northern Valley Greenway. She expressed that the Friends of the Greenway is looking for new members. C. Dayton reported the Welcoming Committee is having an event on May 23<sup>rd</sup>. from 1 pm to 3 pm. C. Dayton thanked the Governing Body for passing the fire truck. C. Dayton reported that Pride day would be held on June 13<sup>th</sup>.

C. O' Connor no report.

C. Park reported that the Nature Center and the Environmental Committee collaborated to do a trash-a-ton and collected 50 pounds of trash around the Borough.

C. Michaels reported that the Recreation Board met and discussed the performance of the sports in town. He added that lots of parents are excited about summer programing. C. Michaels reported that the Downtown Committee met and it had received an amazing amount of proposals. C. Michaels directed the Borough Clerk to add to the next agenda a discussion regarding proposal submissions as well as reaching out to the Board of Education concerning the scheduling of the Joint-Use meetings.

C. Grossman reported that Stigma Free is looking to bring in Teresa Johnson to present a program titled never alone again regarding domestic violence. C. Grossman reported that the Stigma Free Committee is planning to have a lacrosse "Lime-out" game. C. Grossman reported that Planning Board met regarding the application of 22 Jersey Avenue. He added that the objector attorney would be presenting a witness. He reported that the Historic Preservation Commission met were the Roosevelt Monument grant was discussed and there is a push for the monument to be maintained. He added that the Historic Preservation Commission received an application for a certificate of appropriateness for 172 Serpentine Road where changes were proposed to the exterior of the house. C. Grossman added that signs will be erected to designate historical sites. C. Grossman continued that the HPC is putting together a brochure for a walking tour centered on Elizabeth Cady Stanton. C. Grossman reported that Tenaflly Presents He received an application for a certificate of appropriateness. C. Grossman reported that Tenaflly Presents met and still putting together final acts. C. Grossman reported that a former Tenaflly High School student, Josette Norris had qualified for the Olympic trials in the 5K.

C. Menon reported that at the Youth Services meeting that Mark Slawson stated that approximately 850 attendees visited the Youth Center since September. He added that the he expects that more teens will come into the center once the Governor lifts restrictions. C. Menon reported that summer camp registration has been slow with 20 campers signed up and that activities are being coordinated. C. Menon added that Mark Slawson is looking to fill a vacant position in the Teen Center. C. Menon added that the Mr. Slawson's ask may not be a priority until September. C. Menon reported that at the Board of Adjustment meeting there were three application in which two were for pools , in which both applications were approved. C. Menon reported that the the other application was for a circular driveway along Engle Street. He continued that 100 feet is required, but the applicant had 75 feet. He reported that the storage facility discussion was to be delayed until the next meeting. C. Menon reported that the Chamber of Commerce met to discuss the Tenaflly Giant Worm Social Media Blitz. He explained it is honor of the Tenaflly Downtown Culvert. He added that there was a discussion about the food trucks where members discussed with food

trucks being next to schools, fields, and parks. He continued that the Chamber believed that the truck should be on private property with permits from the Borough. C. Menon added that the Nature Center and the Pool Club were not interested.

C. Dayton reported that the Nature Center is having a portrait by the pond event on May 15<sup>th</sup> and 22<sup>nd</sup>. C. Dayton reported that First Responders Day is upcoming.

### **MAYOR'S REMARKS**

M. Zinna announced that the "Lime-out" event is scheduled for Thursday, May 13<sup>th</sup> at 7:00 pm during the boys lacrosse game. M. Zinna announced that the on Saturday, May 15<sup>th</sup> will be lacrosse Day against Dwight Englewood to be held at Geissinger Field. C. Dayton announced that First Responders Day would be held Tuesday, May 18<sup>th</sup>.

### **CLOSED SESSION**

Mayor Zinna recognized Borough Attorney Wendy Rubinstein, who read into the record Resolution 21-211.

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 matters:

- A. Attorney – Client Privilege
  - 1. Cannabis
  - 2. RFQ Procurement Contract Negotiation

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. Michaels, seconded by C. Park, and all present voting in favor, the meeting was adjourned to the Closed Session at 10:27 p.m.

The Governing Body reconvened into the Regular Meeting at 11:14 pm

The Governing body agreed to have a Cannabis Fact sheet posted the website on Friday May 14<sup>th</sup>. M. Zinna proposed to have a presentation regarding cannabis and open it up for public comment. The Governing Body agreed to have the discussion at the beginning of the next meeting.

### **ADJOURNMENT**

As there was no further business to come before the Council, on a motion by C. Park, second by C. Michaels and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:21 p.m.

Respectfully submitted,

Omar Stovall, MPA, RMC  
Borough Clerk