

BOROUGH OF OLD TAPPAN
MAYOR & COUNCIL REGULAR & EXECUTIVE MEETING
September 7, 2021

In compliance with the Open Public Meeting Law, notice of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall.

Please note fire exits located at the main entrance to the Council Chambers and in the rear of the Council Chambers.

REGULAR MEETING

MEETING CALLED TO ORDER: 7:30 p.m.

ROLL CALL:	Mayor John Kramer	Present
	Councilman Ronald Binaghi, Jr.	Present
	Councilman William Boyce	Present
	Councilman Guy Carnazza	Present
	Councilman Thomas Gallagher	Present
	Councilman Matthew Nalbandian	Absent
	Councilman Jin Yhu	Present

Also Present: Borough Administrator Anna Haverilla
 Borough Attorney Brian Giblin

SALUTE TO THE FLAG

STAFF APPOINTMENTS

Joseph Zavarino & Lindsay Graham - Building Department Part-Time/Temporary Technical Assistants

Motion to accept the appointment – Councilman Boyce

Second – Councilman Gallagher

Discussion – None

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

PUBLIC HEARINGS

Ordinance 1189-21 – Amend 2021 Salary Ordinance – Resolution of Adoption

Councilman Gallagher described the ordinance and made a motion to open the meeting to the public.

Second – Councilman Binaghi

No Public Comment

Motion to close the meeting to the public – Councilman Binaghi

Second – Councilman Yhu

Discussion – None

On voice vote, all in favor, the motion carried.

Councilman Gallagher read the resolution

Second – Councilman Binaghi

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Ordinance 1190-21 – Mechanical Fees – Resolution of Adoption

Councilman Boyce described the ordinance and made a motion to open the meeting to the public.

Second – Councilman Gallagher

No Public Comment

Motion to close the meeting to the public – Councilman Binaghi

Second – Councilman Gallagher

Discussion – None

On voice vote, all in favor, the motion carried.

Councilman Boyce read the resolution

Second – Councilman Yhu

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Ordinance 1191-21 – Amend Police Department Ordinance – Resolution of Adoption

Councilman Binaghi described the ordinance and made a motion to open the meeting to the public.

Second – Councilman Gallagher

No Public Comment

Motion to close the meeting to the public – Councilman Binaghi

Second – Councilman Gallagher

Discussion – Mayor Kramer explained that additional language needs to be added to this ordinance before it can be adopted. He suggested tabling the ordinance until the next meeting so the language can be added.

Mr. Giblin explained that the Council can re-introduce the ordinance tonight with the additional language added, it would then be published and adopted at the next meeting.

Councilman Binaghi made a motion to re-introduce the ordinance tonight with the additional language added.

Second - Gallagher

On voice vote, all in favor, the motion carried.

Councilman Binaghi read the resolution

Second – Councilman Gallagher

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Ordinance 1192-21 – Amend Fire Department Ordinance – Resolution of Adoption

Councilman Gallagher described the ordinance and made a motion to open the meeting to the public.

Second – Councilman Yhu

No Public Comment

Motion to close the meeting to the public – Councilman Gallagher

Second – Councilman Yhu

Discussion – None

On voice vote, all in favor, the motion carried.

Councilman Gallagher read the resolution

Second – Councilman Binaghi

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Ordinance 1193-21 – Amend 2021 Salary Ordinance – Resolution of Adoption

Councilman Gallagher described the ordinance and made a motion to open the meeting to the public.

Second – Councilman Binaghi

No Public Comment

Motion to close the meeting to the public – Councilman Binaghi

Second – Councilman Gallagher

Discussion – None

On voice vote, all in favor, the motion carried.

Councilman Gallagher read the resolution

Second – Councilman Binaghi

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Mayor Kramer explained that he is going to open the meeting up to the public now because he believes that most people are here to speak about the golf course. There is a resolution on the Consent Agenda in regard to advertising for RFP's for a management company. He provided a background as to why the governing body is seeking the RFPs and how it seems to be the best time to do it. Tonight's action will allow us to receive proposals but it does not indicate that a final decision has been made.

Councilman Binaghi stated that we are just being responsible and looking at all the options out there.

PUBLIC'S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Carnazza

Second – Councilman Binaghi

On voice vote, all in favor, the motion carried.

Discussion – Charles Lange, 153 Leech Avenue, Park Ridge, explained that he is aware of the many factors that led the governing body to consider an RFP for a management company. He thinks that it is an ill-suited concept for this particular golf course for a variety of reasons. Feels that any and all capital improvements should be completed prior to receiving RFPs. At the last Golf Commission meeting many of the members, other than the Chairman, indicated that they were not really aware of what was being proposed. He feels that more input should have been sought before getting RFPs. He has researched other courses with a management company and provided his findings. Feels that an RFP should also be going out for the concession at the same time. He suggests that this matter be tabled for further discussion and more disclosure.

Mayor Kramer addressed some of the points that Mr. Lange brought up including capital improvements, time frame, transparency, membership, tee times and the concession.

Joe Fernandez, 10 Leonard Drive, feels that using a management company does not make a lot of sense for a community golf course. There is a Golf Commission in place that could be the tool for the management of the course. A stronger commission can be put together that has the capability of managing the course. We can do it ourselves, we have the talent. A management company does not know who we are.

Anna Lui, 16 Ingleside Court, explained that she just learned about this yesterday. There are many other residents who wish to speak their mind but it is a major Jewish holiday and cannot be here. The lack of transparency is a huge issue. She agrees with Mr. Fernandez that we could do this ourselves. She asked if a change in traffic patterns is being considered? How will it affect residents who are members at the Woodcliff Lake pool?

Councilman Binaghi explained that the Borough is transparent by law. All questions that are presented to the Mayor and Council are addressed and answered. We have meetings the 1st and 3rd Mondays of the month and no one ever comes. The agendas are posted the week before. We are all available either by email or phone individually.

Councilman Gallagher suggested telling anyone that was not able to make tonight's meeting to come to our next one. No decisions are going to be made before then.

Councilman Boyce explained that the Golf Commission meets monthly and that is also open to the public.

Tom Lebovich, 148 Cedar Drive, stated that this has been a very tough year for a lot of people and the golf course helped make things a little better. Feels that making this change now is not a good idea. The golf course has been very busy the last 2 years and probably made the town a good amount of money.

Councilman Carnazza explained what the golf course was like when he was the liaison. The membership and revenues were fantastic then. Today, the numbers are down. We have done advertising campaigns to try to help. The Golf Pro and Golf Course Superintendent are retiring next year. With all of this going on we have decided to seek out proposals and see what they have to offer. We are not selling the golf course. We have told the companies that we spoke with that residents should receive preferential treatment.

Mr. Fernandez asked how he can receive an RFP so he can be considered.

Mrs. Haverilla explained that once the RFP is approved and advertised he can come in and get an RFP.

Motion to close meeting to the public – Councilman Carnazza

Second – Councilman Binaghi

Discussion – None

On voice vote, all in favor, the motion carried.

Mayor Kramer asked that the meeting be reopened to the public

Motion to open the meeting to the public – Councilman Gallagher

Second – Councilman Binaghi

On voice vote, all in favor, the motion carried.

Discussion – Tom Ryan, from Maywood, NJ, is here tonight to discuss the United States Master Water Plan. He distributed documents to the Mayor and Council and explained each of them. He has been working on this project for 59 years and explained how he got involved with it. He is a very passionate environmentalist. Described his plan on how to fix the issues discussed in the documents and the associated costs. Explained how Old Tappan is involved in this plan and how it will be affected if it is not enacted. He explained Suez’s involvement in this in regard to Lake Tappan.

Councilman Gallagher said it sounds like Mr. Ryan is saying that Suez is not keeping up with the increased demand.

Mr. Ryan confirmed this. It is a problem with supply and demand. They should be held accountable.

Councilman Gallagher asked what Mr. Ryan is proposing that the governing body do to support his initiative?

Mr. Ryan referred to the amount in the documents, per Old Tappan household, that he would need for this project. He has done his due diligence. It is a cure for an easy to understand problem.

Mayor Kramer explained that they will consider this information and pass it along to our Environmental Commission.

Motion to close meeting to the public – Councilman Binaghi

Second – Councilman Gallagher

Discussion – None

On voice vote, all in favor, the motion carried.

CONSENT RESOLUTION

Councilman Carnazza read the Consent Resolution

Second – Councilman Binaghi

Discussion – Councilman Yhu referred to the RFP resolution and wants the public to

know that a lot of thought and time went into this decision. It is all being done for the better management of our golf course.

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	No
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

RESOLUTIONS

Mrs. Haverilla explained that this is the same DPW vehicle maintenance agreement we have with other towns. Same parameters and costs.

Special Item of Revenue - River Vale Board of Education Vehicle Maintenance

Councilman Boyce read the resolution

Second – Councilman Yhu

Discussion – None

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

Interlocal Services Agreement - Mechanic

Councilman Boyce read the resolution

Second – Councilman Yhu

Discussion – None

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes
	Councilman Carnazza	Yes
	Councilman Gallagher	Yes
	Councilman Yhu	Yes

NEW BUSINESS

None

OLD BUSINESS

Councilman Boyce presented the Mayor & Council with renderings of the signs for the dedications at the Oakes Park gazebo and former Chestnut Field for Ronald Binaghi, Sr. and Ani Nalbandian. He asked for their thoughts.

Councilman Gallagher thought the signs were bigger.

Councilman Boyce explained that it was difficult to get the scale, this was as close as they could get in photoshop. The proposed dimensions of the signs were discussed. He offered to resize them and double check the scale. He will email the new renderings to everyone and they can be discussed at the next meeting.

Councilman Gallagher explained that there was some talk about masks being worn at the schools and the Mayor & Council’s potential involvement. There is an Executive Order from the Governor in regard to this along with CDC guidelines. He does not feel that it is our place to get involved with this issue.

All agreed with Councilman Gallagher.

Motion to adjourn Regular Meeting – Councilman Binaghi

Second – Councilman Gallagher

On voice vote, all in favor, the motion carried.

EXECUTIVE MEETING

In compliance with the Open Public Meeting Law, notice of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall.

Please note fire exits located at the main entrance to the Council Chambers and in the rear of the Council Chambers.

MEETING CALLED TO ORDER

ROLL CALL:	Mayor John Kramer	Present
	Councilman Ronald Binaghi, Jr.	Present
	Councilman William Boyce	Present
	Councilman Guy Carnazza	Present
	Councilman Thomas Gallagher	Present
	Councilman Matthew Nalbandian	Absent
	Councilman Jin Yhu	Present

Also Present: Borough Administrator Anna Haverilla

ENGINEER'S REPORT

The 2021 Road Paving Program bid was awarded tonight. The contractor seems eager to get going so that's good news.

D&L Paving Maintenance Bond

This is from the 2019 Road Paving Program. There were a couple of repairs that needed to be redone so the project dragged on. Everything is satisfactory now. Typically, we get a 2-year maintenance bond at the end of the project when we are releasing the retainage. The company, D&L Paving, is saying that the bonding company will not issue one since the project is so old. The vast majority of the work has existed for over 2 years. It was just a couple of items that needed to be taken care of. He is ok with waiving it but it is up to the Mayor & Council. This has been done in the past. Discussion ensued.

Councilman Gallagher asked how we do something in lieu of a 2-year maintenance bond.

Mr. Skrable suggested that the company could request a 1-year bond from their bonding company.

Mr. Giblin said we could get the 2-year maintenance bond on the items they had to remedy only. They could also post cash for a certain period of time.

Mr. Skrable will contact D&L Paving and offer them the options of either a 1-year maintenance bond on the whole project or 2-years on the remedies only. He will report back.

Mr. Skrable explained that 5 Arrowhead Road has had drainage issues during some of these severe, recent storms. It is an addition to a single-family home that was built over impervious surface. They were not required to install seepage pits. The yard also splits and drains to 2 different neighboring properties. There were many problems during construction with the neighbors that were remedied for one neighbor but are now affecting the other. The owner and architect have taken the position that they are not going to change anything because once the work is completed the runoff amounts should slightly decrease. The problem is how they are going to split the runoff so that these 2 neighboring properties are not negatively impacted. It's a complicated project and they are not being very responsive. He recently sent an email requiring them to install catch basins which is a permanent solution however they objected to that. He has been going back and forth with their architect to whom he explained that before they get their certificate of occupancy a \$10,000 bond needs to be posted and held so that we can evaluate and make sure that everything they are saying is true and then we will release the bond. They are still objecting and he would like some feedback from the Borough Attorney on requiring the \$10,000 bond.

Mr. Giblin said that getting the \$10,000 bond is defensible. If they changed the drainage pattern we have a right to make them put it back to the way it was. We have to prove that they changed the pattern though.

Mr. Skrable can use aerials taken for the year 2000 sewer projects as a baseline for how the drainage went to each neighboring property.

COUNCIL COMMITTEE REPORTS AND REVIEW OF CORRESPONDENCE

COUNCILMAN GALLAGHER – FINANCE/FIRE

Last week during Hurricane Ida the Fire Department responded to 12 calls in Old Tappan alone that were mostly utility related. The boat went on a mutual aid detail with a task force out of the Pascack Valley to Rochelle Park and then later in the night came back north to Washington Township. The boat was not needed in Old Tappan.

The Borough was awarded a \$146,420 grant of which the Borough is responsible for 5% for radio communication equipment for the Fire Department. A much smaller grant was also awarded for computer equipment. The Fire Chief is looking for any and all opportunities through the grant programs.

Mayor Kramer received a call from Congressman Gottheimer to see how Old Tappan made out in the hurricane and he also mentioned that he pushed for the Fire Department grant.

COUNCILMAN BINAGHI – POLICE/AFFORDABLE HOUSING

The Police Department will be interviewing soon for a new hire. The Chief and Lieutenant will conduct interviews next week to get it down to 6 candidates. The Police Committee will then conduct interviews and choose a candidate. They will try and hire once the new contract is signed. After the contract is signed we can then talk about promotions to create more Sergeant slots.

A new ordinance needs to be created for no left turn on Charles Place during school hours. The wording needs to be worked on between the Police Chief and Borough Attorney if the governing body is in favor of it.

All were in favor of creating the ordinance and ordering signs once adopted.

Placement of the signs and the streets involved was discussed.

COUNCILMAN YHU – FIRST AID/SCHOOLS/SENIORS

The local and regional schools have reopened without any issues. He discussed the candidates for both the local and regional board of education. It is nice to see residents getting more involved with the schools.

The Library Board will be meeting tomorrow. He will give a report at the next meeting.

The Senior Citizens have been active. They participate in several exercise programs each week and will be holding a Lunch and Learn on September 24th. There will be a speaker discussing financial matters effecting senior citizens. He will reach out to Marlene Northrop on when her husband's proclamation can be presented to her.

The First Aid Corps ran approximately 70 calls in August. The calls for mutual aid have increased tremendously. They are readying their first responder vehicle. They will be participating in a 9/11 ceremony with our Fire Department in Tappan, NY.

A free concert will be taking place in Old Tappan on September 25th at the Syrian Church. A gentleman who manages a choir and an orchestra would like to give a free concert to the residents of Old Tappan. He will have more details at the next meeting.

Councilman Gallagher explained that the First Aid Corps has a new protocol that they will not send 2 rigs out of town for mutual aid calls.

Councilman Gallagher also commented on moving the school board election back to April. Several towns have been considering this and we might want to as well.

COUNCILMAN BOYCE – GOLF/PLANNING BOARD/ENVIRONMENTAL

Will summarize the valid points that came up tonight about the golf course and bring them to the commission.

The Environmental Commission will address the tree ordinance because of the severe weather we are having with flooding due to a lack of coverage of trees on landscapes. There is a very small change in the ordinance from the commission that he will circulate to the Mayor and Council. Compared to other towns the changes are minimal.

Councilman Binaghi commented on a letter that Mr. Lange posted to a local Facebook group earlier today with a lot of misleading comments in regard to the golf course.

COUNCILMAN CARNAZZA – RECREATION/HEALTH

No Report

MAYOR'S COMMENTS

None

Motion to adjourn – Councilman Yhu

Second – Councilman Binaghi

On voice vote, all in favor, the motion carried.

On voice vote, all in favor, none opposed, the motion carried.

Respectfully submitted,

Jean M. Donch, RMC
Borough Clerk

Reviewed & Approved: September 20, 2021