

BOROUGH OF OLD TAPPAN
MAYOR & COUNCIL SPECIAL & EXECUTIVE MEETING
April 4, 2022

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	Present
	Councilman Jin Yhu	Present

Also Present:	Borough Clerk Jean M. Donch
	Borough Attorney Brian Giblin

SALUTE TO THE FLAG

BOARD APPOINTMENTS

Historical Committee - Unexpired 1 Year Terms Ending 12/31/22

- Scott Wiesner
- Christine Massaro
- Michele LaTour
- Angeline Sheridan
- Jane Cho
- Jennifer Annese

Motion to accept the appointment – Councilman Carnazza

Second – Councilman Gallagher

Discussion – None

Roll Call	Councilman Binaghi	Yes
	Councilman Boyce	Yes

Councilman Carnazza	Yes
Councilman Gallagher	Yes
Councilman Nalbandian	Yes
Councilman Yhu	Yes

PUBLIC HEARING

Ordinance 1203-22 – Amend Golf Course Fees – Resolution of Adoption

Councilman Boyce 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 Nalbandian

Second – Councilman Binaghi

Discussion – None

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

Councilman Boyce read the resolution

Second – Councilman Nalbandian

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

RESOLUTION

2022 Municipal Budget Introduction

Councilman Binaghi read the 2022 Municipal Budget Introduction Resolution

Second – Councilman Yhu

Discussion – None

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

CONSENT RESOLUTION

Councilman Nalbandian read the Consent Resolution

Second – Councilman Binaghi

Discussion – Councilman Gallagher asked if the 2 soil moving resolutions for New Concepts for Living indicate that they do not need variances or have to go in front of the Planning Board.

Mr. Skrable said that is correct. They are reviewed as a single-family dwelling. The only question was, because of the size, did it trigger NJDEP stormwater regulations. He went back and forth with the State and the applicant's engineer and they revised the plans slightly to come in under the stormwater thresholds. Site plan approval is not required.

Councilman Gallagher asked if the Borough has any recourse. Can we ask to see a site plan?

Mr. Skrable explained that single-family homes are specifically exempted from that type of review. There is a statute that says group homes like this are viewed as if they were a single-family dwelling.

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

*Councilman Gallagher voted "No" on the 2 Soil Moving Permits for New Concepts for Living.

NEW BUSINESS

Ordinance 1204-22 – 2022 Salary Ordinance – Resolution of Introduction

Councilman Binaghi read the resolution

Second – Councilman Yhu

Discussion – None

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

Ordinance 1205-22 – Capital Ordinance - Various Improvements & Acquisitions – Resolution of Introduction

Councilman Binaghi read the resolution

Second – Councilman Yhu

Discussion – None

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

Ordinance 1206-22 – Capital Ordinance - Various Sewer Improvements & Acquisitions – Resolution of Introduction

Councilman Yhu read the resolution

Second – Councilman Binaghi

Discussion – None

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

Ordinance 1207-22 – Capital Ordinance - Various Improvements & Acquisitions (Fully Funded) – Resolution of Introduction

Councilman Binaghi read the resolution

Second – Councilman Nalbandian

Discussion – Councilman Gallagher had a discussion with the Police Chief about the capital budget and the leasing of police vehicles. He needs 2 new vehicles. Is there a way to include 1 of those 2 vehicles in this year’s capital budget so as not to get backlogged in years down the road? Is this an area where we can add that in?

Ms. Overgaard explained that the Chief doesn’t need the money right now. We can do a separate fully funded ordinance just for the vehicles using some surplus money.

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

Ordinance 1208-22 – Exceed Municipal Budget Appropriation Limits & Establish a Cap Bank – Resolution of Introduction

Councilman Binaghi read the resolution

Second – Councilman Yhu

Discussion – None

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

OLD BUSINESS

Feeding of Wildlife

Mayor Kramer explained that at the last meeting adopting an ordinance in regard to the feeding of wildlife was discussed. Copies of other town’s ordinances were circulated for review.

Councilman Binaghi suggested defining what is meant by wildlife in the ordinance because there are more than just deer and geese being fed. There are a lot of feral cats in town.

Councilman Nalbandian asked how this will be enforced, who will enforce it and what are the penalties? Is an ordinance needed? Can we just post information on the website? Seems like this is going to be tough to enforce.

Mrs. Haverilla answered the Code Enforcement Officer and Police Department will do the enforcing.

Councilman Boyce feels that a broad sweeping educational program might be the way to go before moving forward with an ordinance. We could use the website and Borough Hall sign.

The Borough Attorney will prepare an ordinance for the next meeting where this matter can be further discussed.

PUBLIC'S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Carnazza

Second – Councilman Binaghi

Discussion – None

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

Ari Davis, 24 Lakeview Drive, asked why he was not appointed to the Historical Committee this evening when at the last meeting he expressed interest.

Mrs. Haverilla explained that there were 6 vacancies on the Historical Committee and each spot was filled in the order the requests were received. She explained that Mr. Davis can still go to the meetings and when a vacancy becomes available he will be appointed.

Mr. Davis asked when the last meeting of the committee was.

Mrs. Haverilla explained that the committee helped with the 125th Anniversary Celebration so they met in 2019 and then COVID-19 hit.

Angeline Sheridan, 31 Edith Street, inquired about the committee meetings and membership. She wants this to be a productive committee.

Councilman Gallagher suggested they have a table at Town Day and have a program at the library or schools.

Jane Cho, 16 Lakeview Drive, inquired about the frequency of meetings and selecting a chairperson.

Councilman Carnazza explained that at the first meeting there will be elections for a chair, vice-chair and secretary and the meeting schedule will be set.

Mrs. Haverilla, now that everyone has been appointed, will send out an email to set up the first meeting. Since this is a committee there are no statutory requirements for it. Meetings can happen as needed.

Carmen Ein, 4 Green Way, had questions about open space preservation. Are the Mayor and Council interested in preserving open space in Old Tappan? There are parcels in town available. Reviewed the amount of money collected from taxpayers for open space preservation and what it has gone to.

Councilman Binaghi explained that some of these properties are very expensive and even with grants would still cost the Borough a lot. No one on this council disagrees with Mrs. Ein about wanting to preserve open space, however, the open space tax collected is not keeping pace with property values. The money collected to date has been used to maintain the open space we already have.

Councilman Nalbandian explained that these sellers now have developers that are willing to pay large sums of money because COAH and affordable housing have given them license to build all these huge developments.

Mrs. Ein feels that the Mayor and Council at least need to try and preserve the properties, even they fail, at least they tried.

Mrs. Sheridan stated that the open space preservation includes historic preservation so we could potentially use the funding to preserve historic buildings and properties. Feels it is worth researching the historic properties and understanding who the owners are and if they have an interest in preservation.

Motion to close meeting to the public – Councilman Nalbandian

Second – Councilman Binaghi

Discussion – None

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

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.

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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	Present
	Councilman Jin Yhu	Present

Also Present:	Borough Clerk Jean M. Donch
	Borough Attorney Brian Giblin

UNITED WAY/MADELINE HOUSING PARTNERS, LLC

Tom Toronto, United Way, explained the timeline of approvals and financing for the property on Grace Avenue. Detailed the dollar amounts for site work and what is owed to the DEP for permits, etc. This became a challenge for the Housing Mortgage Finance Agency (HMFA) who did not want to underwrite the project because of all these expenses. They did settle everything with the HMFA and DEP and are now ready to begin construction but there is a gap. They have received \$500,000 from HMFA and \$279,000 from the Bergen County Home Program as well as the \$200,000 commitment from the Borough. They now need to request more help from the Borough to close the gap and build this project. The gap is estimated to be \$163,679 and he is requesting \$150,000 from the Borough.

Mayor Kramer explained that this money comes out of our COAH trust fund and can be only utilized for affordable housing projects.

Councilman Nalbandian inquired about the cost breakdown that Mr. Toronto provided the Mayor and Council. Why is there a gap?

Mr. Toronto explained that the gap is due to the expense associated with the permits because this is in a wetlands area and it had to be fully delineated. Then there are fees associated with those delineations. They had to mitigate with plantings elsewhere in the municipality. Then the requirements for the site work for stormwater management and other considerations that the DEP has for how this property has to be treated along with the site work that will cost \$200,00. The cost of the hard construction has not gone up. The general contractor has held his pricing. We are capped by HMFA at \$500,000

because it is a 4-bedroom home at \$125,000 per bedroom. He had hoped for more money from the Bergen County Home Program. Explained what money the United Way has already put towards this project on its own.

Councilman Gallagher asked about the Municipal Housing Trust Fund balance and what is it earmarked for?

Ms. Overgaard answered that there is \$1 million dollars in the account.

Mrs. Haverilla explained that the trust fund money can be used to purchase affordable housing and for a rehabilitation program for existing units. You are very limited to what you can do with that money.

Mayor Kramer explained that the Borough Attorney advises that this topic should be moved to closed session for further discussion.

ENGINEER'S REPORT

Mr. Skrable explained that the concrete work on Howard Drive will begin this week. Milling and paving will be done the week that school is out. He explained that the neighbors were notified and how the paving will be done so as to lessen the impact on them. The neighborhood will be open at all times. The Perry Street Drainage Project bid was in today's paper and the bids will be received on April 14th and awarded at the April 18th meeting.

COUNCIL COMMITTEE REPORTS AND REVIEW OF CORRESPONDENCE

COUNCILMAN BOYCE – GOLF/PLANNING BOARD/ENVIRONMENTAL

The April 13th Planning Board meeting has been cancelled to observe the religious week. The next meeting will be on May 11th.

The Golf Course is up and running and they are now serving food.

COUNCILMAN GALLAGHER – POLICE/GRANTS

No report

COUNCILMAN BINAGHI – FINANCE/ADMINISTRATION

The 2022 budget was introduced tonight. Thanked everyone for their efforts during the budget process.

COUNCILMAN YHU – DPW/CONSTRUCTION/FIRST AID

The Seniors will be hosting a Meet & Greet at Stone Point Park on April 28th. This event

has been advertised on the Borough's website.

The First Aid Corps officers have been having discussions with other organizations to solve the issue of staff shortages. The idea of a hybrid model has come up. This would provide for a number of paid EMTs on staff while having the volunteers support them.

The DPW has been busy filling potholes on Borough owned roads. Branch pickup starts this month. Mulch deliveries will begin in May with the online request form becoming available on April 15th.

COUNCILMAN CARNAZZA – RECREATION/HEALTH

No report

COUNCILMAN NALBANDIAN - FIRE/LIBRARY/SCHOOLS

The Library will be celebrating National Library Week and Library Giving Day. The Library will have a link on their website for anyone that would like to donate.

Councilman Yhu showed the welcome bags that the Library has purchased. They will be given to new residents and filled with good information.

MAYOR'S COMMENTS

None

CLOSED MEETING

Councilman Nalbandian read the Closed Session resolution.

Second – Councilman Yhu

Discussion – None

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

Mayor Kramer informed Mr. Toronto that they have approved the \$150,000 that was requested.

Mr. Giblin explained that this decision will be formalized at our next meeting.

Motion to adjourn – Councilman Carnazza

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: April 18, 2022