

**BOROUGH OF OLD TAPPAN
MAYOR AND COUNCIL REGULAR MEETING
August 15, 2022**

In compliance with the Open Public Meeting Law, notification 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: 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 Clerk Jean M. Donch
	Borough Attorney Brian Giblin, Jr.

SALUTE TO THE FLAG

PRAYER – Councilman Jin Yhu

PUBLIC’S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Carnazza

Second – Councilman Gallagher

Discussion – None

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

Elyssa Frank, North Bergen, NJ, the NJ State Director of the Humane Society of the United States, is here this evening to request that the Mayor and Council adopt a humane pet store ordinance. This will not allow pet stores to sell animals which will hopefully help to eliminate the puppy mill issues in this state. There is a list of the worst puppy mill breeders, known as the Horrible 100, on her organization’s website. The NY legislature adopted legislation in regard to this.

Larry Cohen, Fanwood, NJ, volunteer for Humane Society of the United States, spoke more

about how pet stores in the country do business and the Horrible 100 list. This helps to inform buyers and the public of how terrible the puppy mills are. He asked that the Mayor & Council please adopt this ordinance.

Councilman Gallagher asked where does the state of NJ stand with adopting legislation in regard to these issues.

Mr. Cohen explained that the most recent NJ state law is called the Pet Purchase Protection Act that was passed in 2015 but since then the state legislature has not taken up anything further. Individual towns have been adopting ordinances though.

Motion to close the meeting to the public – Councilman Binaghi

Second – Councilman Carnazza

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

PUBLIC HEARINGS

Ordinance 1216-22 – Amend Traffic Ordinance – Resolution of Adoption

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

Second – Councilman Carnazza

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 1217-22 – Amend Construction Ordinance – Resolution of Adoption

Councilman Yhu 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 Yhu read the resolution

Second – Councilman Binaghi

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

BOARD APPOINTMENTS

Environmental Commission

- Gene Kosmark - Unexpired 3 Year Term Ending 12/31/23
- Ryan Weaver - Unexpired 3 Year Term Ending 12/31/22
- Wendy King - Alternate #1 - Unexpired 2 Year Term Ending 12/31/22
- Barbara DiTrollo - Alternate #2 - Unexpired 2 Year Term Ending 12/31/22

Motion to accept the appointments – Councilman Boyce

Second – Councilman Binaghi

Discussion – None

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

STAFF APPOINTMENTS

DPW Maintenance Worker - John Evans

Motion to accept the appointment – Councilman Yhu

Second – Councilman Binaghi

Discussion – None

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

Social Services Director - Diane Besserer

Motion to accept the appointment – Councilman Carnazza

Second – Councilman Binaghi

Discussion – None

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

Municipal Court Sound Recorder - Rona Gildeleon

Motion to accept the appointment – Councilman Gallagher

Second – Councilman Binaghi

Discussion – None

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

CONSENT RESOLUTION

Councilman Binaghi read the Consent Resolution

Second – Councilman Carnazza

Discussion – Mayor Kramer asked Mr. Giblin to explain the Police Department Rules and Regulations.

Mr. Giblin explained that the resolution is to adopt the rules and regulations that were promulgated by the Rogers Group. This is needed for the Police Department to become accredited.

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

COUNCIL COMMITTEE REPORTS

COUNCILMAN BOYCE – GOLF/PLANNING BOARD/ENVIRONMENTAL

The Golf Course has proposed new fees that will allow non-member residents to play during non-prime hours. They were compared to other golf courses in the area. This ordinance will be introduced later on in the meeting.

The Environmental Commission has enlisted the services of Scott Allen Design, a landscape architect and arborist, to evaluate the value of the existing trees at 244 Old Tappan Road in advance of the next Planning Board meeting. He will communicate his findings at a special meeting of the Environmental Commission so direction can be given to the Planning Board.

Passed around changes to the current Tree Ordinance for all to review so it can be discussed at the next meeting.

At the last Planning Board meeting 2 applications were heard - 244 Old Tappan Road and the Old Tappan Manor.

The rendering for the Veterans Memorial will be forwarded to the grant writers so they can research any grants available for this kind of work.

Discussion ensued on the company hired to review the 244 Old Tappan Road trees and the proposed elevation of the building.

Councilman Binaghi inquired about the process for the non-member residents to sign up for the golf course because some of the volunteer firefighters had questions.

The Golf Course Superintendent explained how the whole registration process works and the fees.

COUNCILMAN GALLAGHER – POLICE/GRANTS

Read the July 2022 Police Department activity report.

The Police Committee met and have come to a decision on the 2 new Sergeant promotions. The officers will be notified and the promotions will then take place at the September 6th meeting. At that same meeting a new patrol officer will also be sworn in along with an additional SLEO III officer for the high school.

We are still in our contract negotiations with the PBA but he recommends moving forward with the back pay from 2019, 2020 and 2021. We owe this money and it has been budgeted. Does not feel we are losing any negotiation strength by doing this. These are base pay raises.

Councilman Gallagher made a motion to move forward with the PBA's back pay.

Second – Councilman Binaghi

Discussion – Councilman Yhu feels that this is an act in good faith and might help with the negotiations.

Councilman Binaghi explained that this not contested money, this is money that is owed.

Councilman Carnazza asked if Councilman Nalbandian and our Labor Attorney were informed about this motion being made.

Councilman Binaghi answered no.

Councilman Gallagher does not feel that notifying those 2 is relevant.

Councilman Carnazza is against this motion and gave his reasons.

Mayor Kramer recalls this topic being discussed previously and why it was never done he is not sure.

Councilman Boyce is in favor with moving forward with the increases but would like all parties present or at least informed of it before voting.

Councilman Carnazza feels that we should not give the increases or the promotions. Does not believe it is good for the negotiations.

Mayor Kramer explained that the promotions are necessary for the safety of the town.

Councilman Gallagher is fine with tabling the discussion until the September 6th meeting.

Councilman Gallagher made a motion to table the original motion.

Second - Councilman Binaghi

Discussion - none

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

COUNCILMAN BINAGHI – FINANCE/ADMINISTRATION

No report

COUNCILMAN CARNAZZA – RECREATION/HEALTH

The Recreation Commission has had several Town Day meetings. Basketball had a very successful year. In lieu of the fireworks show at Town Day we will be doing Movies in the Park on Friday, September 9th at Stone Point Park. Has received 3 proposals for converting the skate board park to pickle ball courts and will be meeting with 2 other contractors. Once the numbers are reviewed he will have a meeting with the grant professionals to see what is available. The Recreation Commission is also looking into a fundraiser for the courts as well.

Mayor Kramer inquired about the batting cages at Stone Point Park.

Councilman Carnazza explained that the machine was rusted and there were lots of weeds so the DPW Superintendent has cleaned everything up. They have not been used in years but hopefully baseball will start using them this season.

The Board of Health is moving forward with plans for the Mayor's Wellness Program.

COUNCILMAN YHU – DPW/CONSTRUCTION/FIRST AID

The Seniors will be participating in the Bergen County Senior Festival in September.

The First Aid Corps has 4 new members. The Hillsdale First Aid Squad has requested one of our rigs while theirs is out of service. We are in the same mutual aid and covered by the same insurance but questions did come up about liability. He will be looking to firm this up.

Read the DPW's July 2022 activity report.

The Construction Department remains busy. The State will be enforcing rules governing lead inspections and we are working on our local ordinance to comply with that. There is an issue

with the soil moving permit ordinance that needs to be amended to begin having the Building Department and Borough Engineer deal with all aspects of these permits.

Read the Engineer's Report from Mr. Skrable which explained that the pipe for Perry Street is not available until early October. He will provide the contractor and residents with updates. The 2022 paving program will occur in September. He met with the contractor and will forward the final schedule and notice to the residents as soon as possible. The list of roads to be paved was provided. School traffic will not be affected.

MAYOR'S COMMENTS

Mayor Kramer explained his activities over the last few weeks which included meetings with contractors and residents for various projects in town. Dealt with various resident issues. Had a meeting in regard to the Mayor's Wellness Campaign with a member of our Board of Health and her daughter. Attended a retirement dinner for Doug Meeks. Had meetings with various department heads. Conducted 2 weddings.

Asked who would like to be the liaison to the Mayor's Wellness Committee. Councilman Carnazza, as the current Board of Health liaison, was selected.

ACTION ON MINUTES

Councilman Binaghi made a motion to approve the following minutes:

- Closed Meeting, July 18, 2022
- Regular & Executive Meetings, July 18, 2022

Second – Councilman Gallagher

Discussion – Councilman Gallagher and Councilman Yhu abstained on both sets of minutes.

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

OLD BUSINESS

Car Thefts

Discussed the unfortunate trend in the state right now with car thefts. This issue has received a lot of press. Read the car theft and burglary statistics for Old Tappan and what their outcomes were. Also reported the statewide and nationwide statistics. Hopefully the legislators will take strong action to curb this activity. Read some helpful tips to try and avoid the burglaries and

thefts. Explained what the Old Tappan Police Department has been doing to curb this recent trend including public awareness through helpful tips being placed on the light up road signs, security awareness cards are given out and we are coordinating with Bergen County for license plate readers. The Police Department and County are in constant contact. The County is implementing the Iron Ring Program of which Old Tappan will be a part of. The license plate readers will pick up every car in and out of Bergen County. Congressman Gottheimer has spearheaded a Homeland Security initiative at the port where a lot of these cars go once stolen. New Jersey has very restrictive pursuit and bail reform policies that are not helping. This is a big problem and we are doing our best to curb the local impact but we need to get the Attorney General to lighten up some of their policies.

Joe Crescetelli, 9 Sunden Court, thanked Councilman Gallagher for all the information and the Police Department for their efforts. This has been a rough time for his family since the attempted theft. He will gladly get in contact with the legislators to help encourage the policy changes.

Councilman Yhu addressed the issue the Building Department is having with the open Temporary Certificates of Occupancy (TCOs). There are 2 residents that have an issue with the fees that they owe. These residents need to come to the Building Department to either close out the TCO or pay the fees to keep it open. Does not feel the Borough was at fault, however, the fees owed by each are quite high so we might want to consider a compromise with the residents.

This matter will be discussed further at the September 6th closed session meeting.

NEW BUSINESS

Ordinance 1219-22 – Amend Mechanical Fees – Resolution of Introduction

Councilman Yhu read the resolution

Second – Councilman Binaghi

Discussion – Mayor Kramer asked what exactly this is amending.

Mr. Giblin explained the changes and will send the Mayor a copy with the changes highlighted.

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

Ordinance 1220-22 – Amend Golf Course Fees – Resolution of Introduction

Councilman Boyce read the resolution

Second – Councilman Binaghi

Discussion – None

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

PUBLIC’S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Binaghi

Second – Councilman Carnazza

Discussion – None

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

Motion to close the meeting to the public – Councilman Gallagher

Second – Councilman Binaghi

Discussion - None

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

Motion to adjourn by Councilman Binaghi

Second – Councilman Carnazza

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

Respectfully submitted,

Jean M. Donch, RMC
Borough Clerk

Reviewed & Approved: September 19, 2022