

**BOROUGH OF OLD TAPPAN
MAYOR AND COUNCIL REGULAR MEETING
July 19, 2021**

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	Present
	Councilman Jin Yhu	Present

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

SALUTE TO THE FLAG

PRAYER – Councilman Ronald Binaghi, Jr.

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, none opposed, the motion carried.

Motion to close the meeting to the public – Councilman Gallagher

Second – Councilman Yhu

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

STAFF APPOINTMENTS

Marc Ramundo - Municipal Prosecutor

Motion to accept the appointment – Councilman Binaghi

Second – Councilman Carnazza

Discussion – None

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

Patricia Drewes - Building Department Part-Time/Temporary Assistant

Motion to accept the appointment – Councilman Nalbandian

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

CONSENT RESOLUTION

Councilman Carnazza read the Consent 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

ENGINEER'S REPORT

Mr. Skrable explained that he has been dealing with various drainage issues the last few weeks. Believes it is primarily due to the large construction volume coupled with the extreme amount of rainfall that we have had. He is continuing to follow up on those things but he is confident it will be resolved. Fred Street has been one of the roads with drainage issues that he is currently addressing. He explained the issue and his thoughts on what can be done to remedy it. He will put numbers together that can be considered during next year's budget discussions.

Councilman Carnazza inquired about 15 Stonegate Road and what will happen once the owner puts the pool in. Are there going to be seepage pits to take the water away from where the pool is going?

Mr. Skrable answered yes. He met with some of the neighbors who experienced flooding from one of the recent storms. The owner of 15 Stonegate Road needs to build his wall up higher and create a kind of berm in his own backyard so he can collect that water in the pits. It is addressable and the owner is aware of it and he thinks he understands what needs to be done.

Mayor Kramer asked about the flooding on the lower end of White Avenue.

Mr. Skrable explained that there are a couple of things going on there and explained them and what is being done to try and fix it. We have NJDOT funding for this project and we will be going out to bid for it later this year. His biggest concern is dealing with Northvale because the pipe is on their property and them having an issue at the eleventh hour. He does not see an impact on them. He will meet with the DPW Superintendent to review their options.

The Mayor explained that a Northvale resident contacted him about flooding on his property. He lives near White Avenue.

Mr. Skrable explained that the DPW has been doing a lot of work in that area to remove the tree roots out of the pipes. The pipes need to be at least twice the size they are now.

Mayor Kramer stated that it seems like they are putting a lot of money from the American Recovery Fund Act towards the use of sewers. Over the years it has been discussed by the Mayor & Council about putting the ownership of the ejector pumps back on to the property owners rather than the town maintaining it. Is there any kind of improvements or upgrades that have come along for the ejector systems that are in place now that we might consider?

Mr. Skrable stated that the technology really has not changed. The ejector pump is good at what it does but because it is dealing with raw sewage it takes a beating. A lot of that has to do with how people treat them and what they flush down the toilet. He feels we have been more than fair with the residents in maintaining them for this long and supports the Borough telling the property owners that it is on them now. He knows that the DPW Superintendent agrees with this as well.

The Borough Attorney reviewed the agreements that the Borough has with the homeowners. They are for an easement to allow the Borough to enter into the property where the laterals are. Nothing says we have to maintain the ejector pumps. He can come up with a letter informing the

property owners that maintenance is now their responsibility.

Councilman Binaghi feels that when the Special Benefit Assessments (SBA) end then so should the Borough's maintenance of the ejector pumps.

The CFO explained that next year the last of the SBA payments are due. Some property owners are already done with their payments.

Councilman Nalbandian suggested telling the residents to look into getting insurance coverage on the ejector pumps once they take them over.

Mr. Skrable will send the Borough Administrator the addresses of those with the ejector pumps.

Councilman Binaghi discussed the drainage to his property from the Hovanian project. They are filling and dumping a lot and there is a large lake there.

Mr. Skrable explained why the lake was created and what was being done to take the sediment out. It is not working so they pulled it out of that system and explained what is being done now instead. He met with them last week to go over issues with one of the neighbors and they are being very responsive to anything that comes up.

COUNCIL COMMITTEE REPORTS

COUNCILMAN GALLAGHER – FINANCE/FIRE

The Fire Department reports that Engine 64 is back in service after several repairs. New driver training protocol will be implemented beginning in January 2022. The Fire Company has installed a new electronic sign, much of which was paid for through donations in the memory of Milt Brackenbury. The new fire truck bid process is moving forward.

COUNCILMAN BINAGHI – POLICE/AFFORDABLE HOUSING

Read the June 2021 Police Activity Report.

COUNCILMAN NALBANDIAN – DPW/CONSTRUCTION

No report

COUNCILMAN YHU – FIRST AID/SCHOOLS/SENIORS

The regional high school currently has 3 candidates for 2 positions for the Board of Education. Their monthly meeting is going on right now, which he will attend once done with this meeting.

All of the library programs are back in full swing. There has been great participation from our residents.

The Seniors will have a Lunch and Learn this Thursday. It is sponsored by the Old Tappan

Police Department. Unfortunately, David Northrop is not doing well so his luncheon has been postponed.

The First Aid Corps continues with their dedicated services to the Borough. They are awaiting delivery of their first responder vehicle from the Police Department. He is working with them to explore grant opportunities.

Councilman Binaghi asked Councilman Yhu to explain what is going on at tonight's regional school board meeting in regard to Critical Race Theory.

Councilman Yhu explained tonight's presentation on Critical Race Theory and why it came about. It is mandated by the State. There are many parents who are not in favor of it and will be voicing their opinions tonight.

A brief discussion ensued.

COUNCILMAN BOYCE – GOLF/PLANNING BOARD/ENVIRONMENTAL

The Golf Course is doing well and in good condition. The cart path that we want to improve is on Suez property. The lease agreement has been found for that piece of property. The goal is to get it installed where we want it. We can go out to bid once everything is settled with Suez.

The Planning Board approved the variance for 36 O'Connor's Lane.

The Environmental Commission has been reaching out to him to help design the new Community Garden. There are Eagle Scout candidates that would like to make it a project.

A veteran from town suggested that we create an additional plaque at Oakes Park to commemorate veterans of both war and peace time. They are looking into doing a sign-up sheet that would indicate what they did and when they served. We can then vet the list and build the monument. This is for residents who moved to Old Tappan after they served. Parameters need to be developed. He will visit the park with the DPW Superintendent to determine the most appropriate spot and will bring it back to the Mayor & Council.

Mayor Kramer is in favor of this monument. He has been approached several times over the years about those who feel excluded because they did not live in Old Tappan when they served.

Councilman Gallagher inquired about the property near the library that was formerly owned by the Bergen County Housing Authority. It is a mess and he has been contacted by residents about it. Can we clear it and put a little park there? We can discuss it during budget discussions next year.

Councilman Binaghi suggested creating a garden there just for the seniors.

Councilman Boyce will visit the site with Councilmen Binaghi and Gallagher and see what they can come up with.

Councilman Yhu will mention all of this to the Library Director.

COUNCILMAN CARNAZZA – RECREATION/HEALTH

Town Day will be held on September 18th and that night there will be fireworks.

The Board of Health does not meet again until September.

MAYOR’S COMMENTS

He has spoken to several Council Members in regard to the Golf Course. The Golf Course Superintendent has announced that he will retire in April 2022 and he imagines that the Golf Professional will not be too far behind that. So, this might be a good time to consider out-sourcing the running of the Golf Course to a private agency. We also have the concessionaire contract expiring at the end of this year. He asked if anyone had comments.

Councilman Binaghi explained that our previous Mayor had this idea but it was never really researched. He had heard that it was done in other places with poor results.

Councilman Carnazza has reached out to 3 management companies. He will pass along their information to Councilman Boyce and they can start speaking with them.

Councilman Gallagher suggested reaching out to the County to see if they have any interest.

Councilman Boyce believes this is a good time to look into doing this. He has brought this idea to the Chairman of the Golf Commission to see what he thinks.

All were in favor of looking into these ideas.

ACTION ON MINUTES

Councilman Carnazza made a motion to approve the following minutes:

- Regular Meeting, June 21, 2021
- Regular & Executive Meetings, June 21, 2021

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

OLD BUSINESS

Borough Memorials

Mrs. Haverilla explained that the DPW Superintendent sent pictures of what the 3 proposed signs for the renaming of Chestnut Field will look like honoring Ani Nalbandian. The pictures were forwarded to the Mayor & Council for discussion.

Councilman Nalbandian explained the suggested placement of the 3 signs.

Mayor Kramer stated that he thinks one sign is sufficient, similar to what we have in the other parks.

Councilman Gallagher agreed with the Mayor.

Councilman Binaghi suggested 1 big sign in the middle and 1 small sign at the entrance. But he has no problem with all 3 as well.

Councilman Boyce suggested doing all 3 so there are signs at both entrances making it easy for parents to find the field.

Councilman Binaghi made a motion to install 3 signs.

Second - Councilman Carnazza

Discussion – None

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

Councilman Binaghi discussed possible promotions for the Police Department. The Police Committee met with the Police Chief last week and their thinking is that if we have 4 Sergeants then out-of-title pay goes away for the most part. We need to promote because we could be losing the 2 Sergeants we currently have to retirement. One can leave in October, the other in January. Indications are that they are retiring but no one has filed papers. The committee's recommendation is to create 4 Sergeants. We can promote 2 Sergeants now and then 2 more if and when the 2 current ones retire.

Councilman Carnazza is in favor of promoting the 4 Sergeants but does not want to do it before

the PBA contract is signed.

Councilman Binaghi stated that it sounds like everyone agrees to promote 4 Sergeants. It's just a matter of how we do it and timing.

Councilman Binaghi now wants to discuss the hiring of 2 new patrol officers to replace the retirees. If someone leaves October then we need to have a replacement on the road by Labor Day. However, the PBA contract might not be signed by then and if we are down an officer there is going to be a lot of money spent on overtime. He asked the Mayor & Council for their thoughts because we are going to be stuck. He is in favor of hiring someone now, regardless if a contract is signed.

Councilman Nalbandian asked how it works when we have an arbitrator's decision that specifically stated certain things and we hire before the contract is signed. Do they go under the old contract?

The Borough Attorney stated that the hiring would be under the old contract.

Councilman Nalbandian explained that, with these 2 hirings, we will have hired 4 people under the old contract and lose the savings that we would have gotten under this new contract. We need to be sure that someone is definitely retiring before we rush into anything. Wait until notice is given and then proceed with the hiring.

Councilman Binaghi needs permission from the Council for them to interview candidates and not give a commitment. There are 16 potential candidates right now. Nothing is a done deal until there is an offer of employment. They would like to get it down to 5 candidates.

All were in favor of continuing the hiring process with no promise of employment.

Councilman Nalbandian went back to the Sergeants promotions. He feels that this is something that has to be done going forward based on the arbitrator's decision. The sooner we do it the sooner we stop this out-of-title pay issue. It also shows some good faith.

Mr. Giblin explained that if you are going to do these promotions then the ordinance needs to be amended to change the number of Sergeants that can exist within the Police Department.

Councilman Gallagher discussed some concerns that the Police Chief has and how he would like to see the department structured in the future with a Chief, Deputy Chief, who would be outside the contract, Captain, Lieutenant and 4 Sergeants. These can be added to the ordinance amendment so we are set moving forward. 15 patrol officers will also be listed.

NEW BUSINESS

Proposed Fire Department & Fire Prevention Ordinance Changes

Councilman Gallagher gave the background as to why these changes have been proposed. The Fire Committee and Borough Attorney reviewed the proposed changes and any comments were incorporated into the ordinances circulated to the Mayor & Council for discussion tonight.

Councilman Yhu does not like making it a finable offense if a resident does not clear their fire hydrant. We don't even make the residents shovel their sidewalks. He also does not like asking the business to pay a fee for the apparatus during a Fire Watch. What happens with the money that is collected.

The Fire Marshal, Evan Kutzin, explained that the intent of charging for the Fire Watch and that the money collected would go into a specific Fire Watch Fund that would reimburse the member who are spending extra time doing this on behalf of the property owner and the same would apply to the apparatus. If you are following the fire code and there are no violations at the property then there would be no reason to have the apparatus sitting there. It is not a penalty but this is in place because someone is not following what is required of them. Examples were given. Fuel is being used and there is wear and tear on the vehicle. This does not apply to a private residence, only a business. This is in line with what a majority of other municipalities do. They are trying to avoid closing a business so having a Fire Watch will keep the business open, but safely.

Councilman Gallagher explained that this doesn't happen that often so the Mayor & Council can choose to remove this section of the ordinance.

Councilman Binaghi suggested charging a flat fee for the manpower and apparatus. He is not in favor of paying people individually.

Councilmen Carnazza and Yhu left the meeting.

Mr. Kutzin then discussed Knox boxes and the requirements and specifications for them. He also discussed the increase in fees and how they had not been increased since 2009. We are still below what other municipalities charge.

Councilman Nalbandian feels that those working the Fire Watch to help a business stay open is worth something and he doesn't have a problem with them being paid for it.

Councilman Gallagher made a motion to move forward with the ordinances, as written.

Second - Councilman Nalbandian

Discussion – None

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

Mr. Giblin will prepare the ordinances for the next meeting.

Veteran's Honor Roll

Discussed during Councilman Boy's Council Committee Report.

Ordinance 1188-21 – Amend 2021 Salary Ordinance – Resolution of Introduction

Councilman Nalbandian read the resolution

Second – Councilman Binaghi

Discussion – None

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

PUBLIC'S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Binaghi

Second – Councilman Nalbandian

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

Motion to close the meeting to the public – Councilman Nalbandian

Second – Councilman Binaghi

Discussion - None

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

Motion to adjourn by Councilman Nalbandian

Second – Councilman Gallagher

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

Respectfully submitted,

Jean M. Donch, RMC
Borough Clerk

Reviewed & Approved: August 16, 2021