

BOROUGH OF OLD TAPPAN
MAYOR & COUNCIL SPECIAL & EXECUTIVE MEETING
October 3, 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	Absent
	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

CONSENT RESOLUTION

Councilman Nalbandian read the Consent Resolution

Second – Councilman Binaghi

Discussion – None

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

NEW BUSINESS

None

OLD BUSINESS

Proposed Tree Ordinance Amendments

Councilman Boyce passed around an amended ordinance with any changes made since the last discussion highlighted. Is currently compiling a list of native trees with the DPW Superintendent including locations of where they will be appropriate. The goal is to come up with a fair, simple and clean ordinance so that it is easily understandable. Would like to simplify the section on buffers to just include a 10-foot buffer in the side and rear yards. Trees in the buffer can be removed if they are dying or threatening life and safety or if the Shade Tree Committee sees that there is a just reason to remove them. Property owners can electively choose to replace the trees that they are removing with other trees somewhere else that are more appropriate. Will finalize the wording on that with the Borough Attorney. Discussed the proposed tree removal application and permit process. This will help the neighbors know which trees are being removed and also to know if it is a heritage tree.

Councilman Binaghi discussed the potential permit fees and that he is not in favor of it. Does not feel that the Shade Tree Committee should be making decisions on what trees a homeowner can and cannot remove.

Councilman Nalbandian agrees with Councilman Binaghi and explained that the idea of the permit is to protect the neighbors from the homeowner potentially cutting down the wrong tree, not to punish the homeowner.

Mrs. Haverilla explained that these ordinances are done by most towns for environmental reasons.

Councilman Boyce explained that there is a cascading effect of what is bad for the environment and a lot of that happens with trees. Tree cover helps secure the environment by holding soil in place and reduces runoff. Homeowners adjacent to properties removing trees will be sensitive to this. The main point of these ordinance changes is letting neighbors know that trees will be cut down for which there would be a procedure in place including marking the property lines and the trees that will be removed and notifying the neighbors via certified mail. He does not know of a town other than ours that doesn't have a tree removal permit requirement. The new developments need to be addressed because they have been known to clear cut a property and leave it that way for years. This creates a significant impact on both the environment and neighborhood.

Councilman Binaghi feels that we should be tougher on developers and easier on homeowners.

Mr. Skrable explained that you are only required to replace the trees if you are before the Planning Board. If you could clearly define what new construction is and extend the ordinance to them then that might be the piece of the puzzle that is missing.

Councilman Nalbandian does not think we should be able to tell individual property owners what to do with their trees. We need to be cognizant of what the developers are doing that impact the neighbors. We need to protect neighbors from inadvertent tree removal. The idea is trying to protect neighbors, not make money and make the process onerous, and tighten control over developers and clear cutting then leaving it vacant for a long time. How do we differentiate the homeowner who has bought the house only to renovate and flip it as opposed to a homeowner who buys the house and plans to renovate and live in it?

Mr. Skrable explained that it could be based on the amount of work that is being done regardless of who is involved. Perhaps tie it into a demolition permit.

Mr. Giblin explained that he has a problem with differentiating between different classifications of homeowners. An owner is an owner. You cannot treat a developer differently. He likes Mr. Skrable's idea of tying it into a demolition permit this way you treat everyone the same.

Councilman Binaghi suggested requiring a tree replacement plan with a timeline.

Councilman Nalbandian suggested bring the Construction Official in on the ordinance discussion since the Building Department will be issuing the permits.

Councilman Boyce will speak to the Construction Official and will then forward his notes to the Borough Attorney so an ordinance can be created. He will also keep the Borough Engineer in the loop.

PUBLIC'S OPPORTUNITY TO SPEAK

Motion to open the meeting to the public – Councilman Yhu

Second – Councilman Nalbandian

Discussion – None

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

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 Nalbandian

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	Absent
	Councilman Thomas Gallagher	Present
	Councilman Matthew Nalbandian	Present
	Councilman Jin Yhu	Present

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

ENGINEER'S REPORT

The 2022 Road Paving Program went well. It was under budget and no resident issues. We will be going out to bid for DeWolf Road sometime in November to do milling and paving through a DOT grant that was received. This will also include the drainage in front of Stokes Farm. The milling and paving will take place next spring.

Mayor Kramer inquired about the status of the Perry Street drainage project.

Mr. Skrable explained that the pipe is in and the contractor is looking for somewhere to store it. The Borough has offered the compost facility to store the pipe because it is quite large. The contractor is also speaking to the neighbor for storage in their side yard. He told the contractor that they will need to negotiate with the neighbor privately. Once that is resolved the pipe will be delivered and the project can begin. The contractor will also be doing the drainage on DeWolf Road.

The closing of River Vale Road for work on the bridge was discussed.

Mr. Skrable explained that we received FEMA money to for the Haring Drive footpath repairs.

COUNCIL COMMITTEE REPORTS AND REVIEW OF CORRESPONDENCE

COUNCILMAN BOYCE – GOLF/PLANNING BOARD/ENVIRONMENTAL

The next Planning Board meeting is on October 12th. The 244 Old Tappan Road application will continue to be heard. We are still waiting for the Environmental Commission to receive and review the tree report.

The Environmental Commission had a resident from Water's Edge at their meeting to discuss concerns with a project in Orangetown that borders his property. Two large data centers are being installed. He has hired legal representation to try and limit the development since it will severely encroach on his property. Dave Keil will attend the Orangetown meeting on behalf of the Environmental Commission and report back.

The Boy Scouts will be making a sign for the new community garden to fulfill their woodworking merit badge.

He is trying to put together a small committee to review the proposed Veteran's memorial.

Met with the general manager of the golf course to discuss some items that can be improved on the course. They have already started thinking about next year's budget and pre-buying materials to try and save money.

Councilman Yhu inquired about a letter being sent to the Orangetown Planning Board in support of our residents.

Mrs. Haverilla believes the Environmental Commission will be working on this.

Councilman Boyce will follow up on this at the next Environmental Commission meeting.

COUNCILMAN GALLAGHER – POLICE/GRANTS

He remains in constant contact with the Police Chief but has nothing to report this evening.

COUNCILMAN BINAGHI – FINANCE/ADMINISTRATION

The CFO reports that we will be issuing Bond Anticipation Notes.

COUNCILMAN YHU – DPW/CONSTRUCTION/FIRST AID

Read the DPW's September 2022 activity report. There is a paper shredding event at the DPW on October 22nd.

Read the Construction Department's September activity report.

The Seniors held a successful Lunch & Learn last week. There will be an International Luncheon on October 27th, a 1950's Dance Party on December 10th and a Holiday Party on December 15th.

Participated in a ride along today with the First Aid Corps. Thanked them for their dedication.

Thanked Sergeant Wilkins and our SLEO III officers for helping a teacher at the high school who went into cardiac arrest.

COUNCILMAN NALBANDIAN - FIRE/LIBRARY/SCHOOLS

The Fire Chief contacted him in regard to several vehicle maintenance issues with the fire trucks. He is currently over budget because of these repairs. The repairs were necessary and could not be helped.

The Fire Chief was able to get some numbers for the radios. The equipment will be about \$10,000 and is negotiating the installation fee. This way we could have our own radio system and not have to depend on River Vale's system. There is a problem with the signal right now - it is not reliable. It could be a 3 or 4 month wait for the equipment so we need to figure out when to order it.

Mayor Kramer feels that we should wait until budget time to discuss this.

He will try and get some more information from the Fire Chief and report back.

There will be an open house at the Fire Department next Tuesday for Fire Prevention Week.

Congratulated Glen Pfeiffer for having his line number retired by the Fire Department at their annual Inspection Dinner.

MAYOR'S COMMENTS

None

Motion to adjourn – Councilman Binaghi

Second – Councilman Gallagher

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: October 17, 2022