

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY FEBRUARY 8, 2017

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Visconti, seconded by Councilman Kulmala, the following resolution be introduced, adopted and duly passed on roll call vote:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Affordable Housing; Contract negotiations-Owner's representative-Library Project; personnel
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

Discussion ensued over Affordable Housing, contract negotiations for the Owner's representative for the Library project and personnel matters.

No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Talamini, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti. Absent: None. Also Present: Kathlyn Gurney, Deputy Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

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MAYOR'S REPORT:

Mayor Schwager urged residents to volunteer in the Mayor's Wellness Program. Lakeside Trainers have volunteered their facility for weigh-ins. Interested parties can contact the Health Department. In addition, volunteers are needed for Access for All and Public Events.

New Friends of the Oakland Public Library will host a concert by CelloMania on Sunday, February 12th at 4:00 pm. at Oakland's Presbyterian Church.

Weather permitting, there will be a seminar on the secrets of job interviewing called Pounding the Pavement 101 Thursday, February 9<sup>th</sup> at 6:30 pm. Please check tomorrow with the Library if this program is still being offered.

Every year Bergen County Elections puts out a calendar showcasing posters done by children. This year she has recognized two of the winners from Oakland's Dogwood Elementary School, Celina Brown and Debra Myron. Anyone interested in a free calendar can pick one up at Borough Hall.

Condolences to our previous Fire Chief, Curt Leroy and the Borough Auditor, Frank DiMaria on the loss of both their fathers. Councilman Biale went to the viewing and offered his condolences on behalf of the Borough.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by Councilman Knapp, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

Jerri Angermueller, Borough employee, announced that there would be an "open house" at the Van Allen House on Sunday, February 19 at 1:00 pm. to 4:00 pm. She also expressed her disapproval of an ordinance being adopted that evening that would enforce a \$20 charge to anyone paying by check with insufficient funds for services offered by the Borough. She expressed concerns on the impact this may have on the elderly and people struggling financially. She preferred the system that was currently in place. Mayor Schwager responded that this topic was discussed at great length and not taken lightly especially for people having difficulties. However, the Borough is charged for every bounced checks which carries over to the other tax

payers. There are regular offenders that write bad checks and the ordinance will help to deter that. Mr. Kunze explained the added work created when a check is returned for insufficient funds and that this not just a problem in the Tax Department but other departments are experiencing the same issues. He added that anyone can get over-draft protection. The other towns are doing the same thing and it is correcting the problem.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Visconti, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPROVAL OF MINUTES: JANUARY 11, 2017**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of January 11, 2017 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPROVAL OF MINUTES: JANUARY 25, 2017**

On motion of Councilman Biale, seconded by Councilman Visconti, the minutes from the Mayor and Council meeting of January 25, 2017 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPROVAL OF MINUTES: JANUARY 11, 2017 EXECUTIVE**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of January 11, 2017 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti

**APPOINTMENT OF AUDITOR:**

Mayor Schwager informed that her appointment for auditor did not pass at last month's Council meeting and once 30 days passes it is up to the Council to appoint their choice.

On motion of Councilman Talamini, seconded by Councilman Kulmala, DiMaria & DiMaria be appointed Borough Auditor for this year 2017.

Discussion: Councilman Biale explained that he was in favor of appointing the other firm at last month's meeting. He referenced an article by State Controller's Office where a poll was taken of all government agencies in the state on the manner they select external auditors. The article suggests that a firm should never use the same auditor for more than ten years. He expressed that he believes DiMaria & DiMaria did a good job but after ten years, you need a new set of eyes to make sure the Borough is on the right path. Councilman Visconti noted that DiMaria & DiMaria have been in many towns for more than 10 years and change their personnel around to avoid too much familiarity between auditor and employees. He expressed the continuity between the Borough staff and the DiMaria's staff was important during the change of 4 or 5 CFOs within the past 10 years.

Mayor Schwager recommended that Councilman Talamini keep a close eye on the Finance Department. Councilwoman Coira expressed that she agrees with the practice of changing the auditor every ten years and that it should be mandatory.

ROLL CALL: Yeas, Councilmember Knapp, Kulmala, Talamini, Visconti  
Nays, Councilmembers Biale, Coira

**APPOINTMENT TO BOARD OF HEALTH:**

Mayor Schwager brought forth the nomination of Brian La Forgia for appointment to a three-year term on Board of Health.

Consent of Council:

On motion of Councilman Biale, seconded by Councilman Talamini, the Council consented to the appointment of Brian La Forgia to a three-year term on Board of Health to expire December 31, 2019.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPOINTMENT TO COMMUNICATIONS COMMISSION:**

Mayor Schwager brought forth the nomination of Peter Tuohy for reappointment to a three-year term on Communications Commission.

Consent of Council:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the reappointment of Peter Tuohy to a three-year term on the Communications Commission to expire December 31, 2019.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPOINTMENT TO ACCESS FOR ALL:**

Mayor Schwager brought forth the nomination of Linda Kates to an unexpired three-year term on the Access for All Committee to expire December 31, 2018.

Consent of Council:

On motion of Councilman Biale, seconded by Councilman Visconti, the Council consented to the appointment of Linda Kates to an unexpired term on Access for All Committee to expire December 31, 2018.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPOINTMENT TO SOLAR AD-HOC COMMITTEE:**

Mayor Schwager brought forth the nomination of Rainer Gerbatsch for a one-year appointment on the Solar Ad-hoc Committee.

Consent of Council:

On motion of Councilman Biale, seconded by Councilman Visconti, the Council consented to the appointment of Rainer Gerbatsch for a one-year appointment on the Solar Ad-Hoc Committee to expire December 31, 2017.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**APPROVE RAFFLE LICENSE RL1296**

On motion of Councilman Biale, seconded by Councilman Knapp, approval be granted to Raffle License RL1296 for Indian Hills PTSO to hold an on-premise 50/50 raffle on March 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> at Indian Hills High School.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-66 AUTHORIZE DPW PROMOTIONS-CONWAY & MANGIN**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the endorsement of Department of Public Works Superintendent, Anthony Marcucilli, hereby approve the following promotional recommendation and salary increase effective Monday February 20, 2017:

George Conway from Senior Water Meter Reader to Assistant Supervisor Water Meter Reader, \$57,869 as per contract.

Derrek Mangin from Building Maintenance Repairer to Senior Building Maintenance Repairer, \$45,053 as per contract.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-67 AUTHORIZE LICENSE BOROUGH PROPERTY ADJACENT TO 42 RIVERSIDE DRIVE**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough has received a request to license Borough owned property adjacent to 42 Riverside Drive; and

WHEREAS, the Superintendent of Public Works and Zoning Officer have reviewed the request and they recommend the issuance of the license for the year 2017;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Clerk to issue a license for the Borough property adjacent to 42 Riverside Drive to Andrea Lewis, 42 Riverside Drive, subject to the rules and regulations specified in Resolution 17-21 adopted on January 11, 2017.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-68 AUTHORIZE LICENSE BOROUGH PROPERTY-BLOCK 2514, LOT 4 AND BLOCK 2515, LOT 3**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough has received a request to license Borough owned property at Block 2514, Lot 4 and Block 2515, Lot 3; and

WHEREAS, the Superintendent of Public Works and Zoning Officer have reviewed the request and they recommend the issuance of the license for the year 2017;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Clerk to issue a license for the Borough property Block 2514 Lot 4 and Block 2513, Lot 3 upon receipt of the \$ 1.00 fee and required insurance paperwork to James Miuccio, 11 Lakeview Terrace, subject to the rules and regulations specified in Resolution 17-21 adopted on January 11, 2017.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

#### RESOLUTION 17-69 AUTHORIZE RECYCLING TONNAGE GRANT APPLICATION

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Oakland hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Eugene MacMahon to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-70 CERTIFICATION OF EXPENDITURE FOR RECYCLING TAX**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$ 3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Oakland that the Borough of Oakland hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2016 in the amount of \$13,850.67. Documentation supporting this submission is available at 1 Municipal Plaza and shall be maintained for no less than five years from this date.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-71 APPOINT SUBSTITUTE CROSSING GUARDS**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Police Chief has requested the appointment of substitute crossing guards and all necessary background checks have been completed;

BE IT RESOLVED, that the Mayor and Council hereby appoints Maria Gimenez and William Sisti as substitute crossing guards at a salary of \$16.54 per hour effective February 9, 2017.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-72 AUTHORIZE CONNOLLY & HICKEY-PHASE 2 OF VAN ALLEN HOUSE EXTERIOR RENOVATIONS**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough is in need of architectural design service for Phase 2 exterior renovations for the Van Allen House Property and structural stabilization of the Stream House; and

WHEREAS, Connolly & Hickey Historical Architecture LLC submitted a proposal for the services required at a cost not to exceed \$18,120 for the exterior renovations to the Van Allen House; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-713-201 \$ 13,310.00 and Account #7-01-20-110-044 \$ 4,810.00 ; and

WHEREAS, Connolly & Hickey Historical Architects LLC have submitted all necessary paperwork to comply with the Borough's Pay-to-Play Ordinance; and

WHEREAS, this contract is for professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Connolly & Hickey Historical Architects LLC in the amount not to exceed \$18,120 for the Phase 2 exterior renovation to the Van Allen House; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the agreement on behalf of the Borough.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-73 AUTHORIZE BOSWELL-SURVEY OF STATION PARK-TABLED**  
On motion of Councilman Visconti, seconded by Councilman Coira, Resolution 17-73 be tabled:

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-74 AUTHORIZE REFUND OF TEMPORARY HEALTH LICENSE FEE**  
On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request for a refund of a Temporary Health License in the amount of \$250.00; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the borough of Oakland hereby authorize a refund to:

Lakeside Fitness, 100 Bauer Dr., Oakland, NJ 07436 refund due \$250.00.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.



**RESOLUTION 17-75 AUTHORIZE IDA SERVICES AGREEMENT**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has established, sponsors and funds a self-insured employee welfare benefit plan within the meaning of the Employee Retirement Income Security Act of 1974 (ERISA) and as amended (the "Plan"); and

WHEREAS, this plan is for the purpose of providing certain vision care coverage to eligible employees and retirees as well as a reimbursement program for certain retirees to match the medical coverage they are entitled to under their respective collective bargaining agreement; and

WHEREAS, benefits payable under the Plan constitute liabilities of the Borough of Oakland; and

WHEREAS, the Borough of Oakland is the designated Plan Administrator, as such term is used within the Employee Retirement Income Security Act of 1974 (29 USC 1002(16) (B)), and as amended; and

WHEREAS, the Borough of Oakland, as the designated Plan Administrator of the Plan, desires to contract with an independent third party to perform certain claims administration services with respect to the Plan, as set forth within this Agreement; and

WHEREAS, Insurance Design Administrators is in the business of providing third-party claims administration services to sponsors and administrators of self-insured health benefit plans.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby awards a contract to Insurance Design Administrators for the administration of the self-insured vision program at a rate of \$ 6.00 per employee per month not to exceed \$6,750.00 and for the retiree reimbursement program at a rate of \$ 25 per employee not to exceed \$ 5,500.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Account #7-01-23-220-003 \$ 6,750.00 and Account # 7-01-23-220-001 \$ 5,500.00;

BE IT FURTHER RESOLVED that the contract award for these services is directly to a company providing insurance services within the meaning of the Borough's 'pay to play' ordinance 12-CODE-669, duly authorized pursuant to NJSA 40A:11-51, and that IDA has complied with the requirements of said ordinance and may be awarded this contract; and

BE IT FURTHER RESOLVED that Borough Administrator Richard Kunze is hereby authorized to sign the Agreement on behalf of the Borough of Oakland.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**RESOLUTION 17-76 AUTHORIZE GRANT APPLICATION TO SUSTAINABLE JERSEY**

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Oakland strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Oakland is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Council of the Borough of Oakland has determined that the Borough of Oakland should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-750 AMEND FEE ORDINANCE**

The Clerk was directed to take from the table Ordinance No. 17-Code-750 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER IX, RECREATION FACILITIES AND RECREATION AREAS, SUBCHAPTER 9-2.3, ENTITLED "FEE SCHEDULE FOR ACTIVITIES".

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Visconti, this portion of the meeting be open for public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Talamini, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

On motion of Councilman Visconti, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed on a roll call vote.

BE IT RESOLVED that an Ordinance entitled, " An Ordinance Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland Chapter IX, Recreation Facilities And Recreation Areas, Subchapter 9-2.3, Entitled "Fee Schedule For Activities", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-751 SERVICE CHARGE RETURNED CHECKS**

The Clerk was directed to take from the table Ordinance No. 17-Code-751 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II "ADMINISTRATION" OF CODE OF THE BOROUGH OF OAKLAND SO AS TO ESTABLISH A NEW SECTION 2-27 "SERVICE CHARGE FOR CHECKS OR OTHER WRITTEN INSTRUMENTS TENDERED TO THE BOROUGH OF OAKLAND WHICH ARE RETURNED FOR INSUFFICIENT FUNDS".

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Visconti, this portion of the meeting be open for public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Visconti, seconded by Councilman Biale, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed on a roll call vote.

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing Chapter Ii "Administration" Of Code Of The Borough Of Oakland So As To Establish A New Section 2-27 "Service Charge For Checks Or Other Written Instruments Tendered To The Borough Of Oakland Which Are Returned For Insufficient Funds", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**WORK SESSION:**

**REQUEST FROM RAMAPO INDIAN HILLS TO ENACT ORDINANCE PROHIBITING SALE OF NICOTINE DELIVERY PRODUCTS:**

Mayor Schwager entertained feedback from Council on an ordinance being used by Wyckoff and Franklin Lakes prohibiting the sale of cigarettes and vaping paraphernalia to no one under the age of 21. It was discussed that smoking bans are generally handled by the federal government and at a state level, not by municipalities. Smoking is prohibited on all borough property, parks, schools and public areas. It was discussed that the ordinance was amended to include electronic cigarettes. Councilwoman Coira pointed out a discrepancy a section of Wyckoff's ordinance. Mayor Schwager polled all the Councilmembers and the consensus was that limiting the age for smoking is a double standard and should remain at 18.

Mr. Kunze informed Council that he budget would be introduced in March

NEW BUSINESS: None

**COUNCIL REPORTS:**

Councilman Talamini: reported that they had a preliminary budget meeting and will soon be scheduling budget meetings with department heads. He announced that school has already been canceled for tomorrow due to the impending storm. Kindergarten registration has begun. Public Events is still looking for volunteers.

Councilman Kulmala: reported that there is a Communications Commission meeting next Wednesday at 7:30 pm at Borough Hall. They are still looking for volunteers. Public Safety had their kick-off meeting was last week. They talked about particular areas of speeding with the Chief Kasper, residential complaints and planning for the next year. He reminded the public that inclement weather is expected and to shovel your sidewalks and fire hydrants.

Councilman Biale: He reported that the seniors are showcasing their art at the Public Library. He expressed thanks to the seniors who participated. He announced that a contract award will be made at the next meeting for the repair of the Senior Center bathroom. He informed Council that 20 Streetlights were out from the ramp off of 208 down 202 to Borough Hall. He reached out to the liaison to municipalities who created a work order from the Electrical Division of the DOT to access. He is still waiting for the installation of our first LED street lights at no cost which should be completed by the end of the month. The first set of lights will be installed around the school areas. He referred to an article in The Record last week concerning Pilgrim Pipeline setbacks. Two of the companies mentioned in the article taking part in the transfer of oil and gas expressed that they did not have anything to do with the Pilgrim Pipeline. He informed Council that he had a conference call with the people of the pipeline group and expressed their concerns and said that no formal application has been made. He discussed the current ordinance in place. An event will be held at Stables on March 30<sup>th</sup> to help raise funds for pipeline awareness.

Councilman Visconti: reported the January Park meeting was canceled and rescheduled for this Monday at 7:30 pm at the Senior Center. The final plans for the River Restoration Project went out to the NJDEP today. The Library bid will be award at the next Council meeting. He set the record straight concerning a post on Facebook that the Library did not throw books away. He informed the public that there has been an ongoing book sales, donation of books and giving away books. Mayor Schwager added that the people associated with the Library have worked very hard to sell books in preparation of the renovations.

Councilwoman Coira: reported the meeting dates for Shade Tree, Environmental Commission and the Green Team. Volunteers are needed for the Green Team and invited anyone interested in joining to the meeting that will be held next Monday at 7:30 pm at the Senior Center. Planning Board will have their meeting tomorrow night weather permitting.

Councilman Knapp: reported that there is no news concening Administration. The next Board of Health meeting will be held Tuesday, February 21<sup>st</sup>. Municipal Alliance will meet March 13<sup>th</sup> and reported that they fund programs in Oakland that are drug and alcohol free such as the 8<sup>th</sup> grade dance, Project Graduation and a trip scheduled to the circus through the Senior Center. He too expressed the importance of shoveling out fire hydrants and helping the elderly during the impending storm.

Councilman Biale added to his report that the Oakland Diner is now open and wished the owner well. He shared with Council that he received a letter from Ron Beatty, member of the American Legion, concerning a soldier who married an Oakland woman and settled here on Cardinal Drive and shortly after they were married, he was deployed during the Vietnam War and killed in action. A gentleman from Hawthorne has been compiling information on local fallen soldiers and in honor of this soldier, Lt. Joseph Silva, they would like to place a street indicator above the Cardinal Drive street sign to read Lt. Joseph Silva Way. The group responsible for compiling this information would cover the cost and hold a ceremony at the site in June or July. Mr. Chewcaskie recommended a resolution be drafted for the next meeting to allow the street sign.

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Kulmala, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

Mr. Donald Sena, 47 Thackery Drive, sent a public invitation to attend a Pipeline Awareness discussion by Princeton Hydro on March 30<sup>th</sup> at Valley Stables between the hours 7:00 pm – 9:00 pm.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Kulmala, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**BILLS TO BE PAID**

On motion of Councilman Talamini, seconded by Councilman Biale, the following bills be submitted for payment:

(see following pages)

BE IT RESOLVED that the foregoing bills be paid and charged to their respective accounts when the funds are available.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Visconti, the meeting be adjourned at   pm.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

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Kathlyn Gurney, Deputy Borough Clerk

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Mayor Linda H. Schwager

March 8, 2017

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Date Approved