

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 28, 2014

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Coira, seconded by Councilman Visconti, 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:
Bi-County; Tax Appeal Settlement 16 Thornton Road
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 Coira, Kulmala, Pignatelli, Visconti.

Discussion ensued over Bi-County and tax appeal settlement for 16 Thornton Road. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:35 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Kulmala, Pignatelli, Visconti. Absent: Councilmembers Jensen, Stagg. Also Present: Lisa M. Duncan, 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.

EXCUSE ABSENCE OF COUNCILMAN JENSEN

On motion of Councilman Visconti, seconded by Councilwoman Coira, the absence of Councilman Jensen be excused.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

MAYOR'S REPORT:

The next meeting on June 11th will be Student Government Night. The Fire Department Ladies Auxiliary will hold a Fish and Chips dinner on June 14th. June 28th will be a paper shredding day for residents from 9 am to 1 pm at the Borough Hall parking lot. Mayor Schwager thanked the American Legion and Ron Beattie for organizing a great Memorial Day Parade.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

Mike Pritchard, 23 Calumet Avenue, attending a meeting about a pipeline coming to town which is supposed to be put over an aquifer. He also spoke about DOT III cars running through Oakland and advised that they are dangerous and have been banned in Canada. He questioned what would happen if the pipeline leaks in to the aquifer. Mayor Schwager advised that Judith Sullivan of the Ramapough Conservancy is very active with this issue. She is organizing an opposition meeting for June 19th.

Don Sena, 47 Thackeray Road, spoke about the Pilgrim Pipeline. He spoke of the type oil which is highly explosive. He spoke about leaks. He advised that the Federal Government does not have jurisdiction. The pipeline endangers our water supply, our property and our environment. He asked the Council to be proactive and do a resolution.

Geri Bird, 22 Minnehaha Blvd, spoke about the pipeline. She commented that so many people are unfamiliar with the project and that something should be put into Crossroads to bring it to the residents' attention.

Kathleen Henkle, 35 Sioux Avenue, is concerned that Pilgrim Pipeline people are approaching people saying they are authorized by the Federal Government to do testing on private property

and they are not authorized. Mr. Kunze advised that he attended a meeting at the County with representatives from Pilgrim Pipeline. He will type up his notes for the Council.

Frank Monaco, 60 Thackeray, suggested videotaping Judith Sullivan's meeting to show on Channel 77. He asked if the Council discussed his idea of rerouting traffic on Yawpo Ave due to the high school traffic. He advised that traffic will become a hot issue.

Chris Chue, 3 Highland Cross, asked if the Council is aware of any contaminants in our water. Councilman Pignatelli advised that we have the Consumer Confidence Report. Mr. Kunze responded that Mr. Chue should look at the Consumer Confidence Report but that Oakland water is fine.

Dan Kim, 78 Maplewood Ave, Wayne, is here representing the youth group of the Korean Presbyterian Church. The youth group did a cleanup along Route 202 and collected over 12 bags of garbage. He thanked Eugene MacMahon for organizing the locations. He asked permission to do another cleanup for the fall. Mayor Schwager thanked the youth group for the work they did. She advised to just let the town know the date the group wants to do fall cleanup and it will be arranged.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

APPROVAL OF MINUTES: APRIL 23, 2014

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of April 23, 2014 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

APPROVAL OF MINUTES: MAY 14, 2014

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the minutes from the Mayor and Council meeting of May 14, 2014 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

APPROVAL OF MINUTES: EXECUTIVE SESSION APRIL 9, 2014

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of April 9, 2014 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Kulmala, Pignatelli.
Abstain, Councilman Visconti.

APPROVAL OF MINUTES: EXECUTIVE SESSION APRIL 30, 2014

On motion of Councilman Visconti, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of April 30, 2014 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

APPROVAL OF MINUTES: EXECUTIVE SESSION MAY 14, 2014

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the minutes from the Mayor and Council Executive Session of May 14, 2014 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

APPROVE SIGN REQUEST

On motion of Councilman Pignatelli, seconded by Councilman Visconti, approval be granted to the Fire Department Ladies Auxiliary to post a sign at Bush Plaza for the Fish and Chips dinner to be held June 14, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

RESOLUTION 14-143 AUTHORIZE BOSWELL-REC LIGHTING CONSTRUCTION ADMIN

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

WHEREAS, the Borough of Oakland has awarded a contract for the Recreation Lighting Project; and

WHEREAS, Boswell McClave has submitted a proposal dated April 21, 2014, for construction administration for the project for an amount not to exceed \$65,000; and

WHEREAS, Boswell McClave has complied with the Borough of Oakland's Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-690-101;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize Boswell McClave to perform construction administration for the Recreation Lighting Project at a cost not to exceed \$65,000 as specified in the proposal dated April 21, 2014; and

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

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

RESOLUTION 14-144 AWARD HOOK TRUCK BID

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

WHEREAS, on May 14, 2014, the Borough of Oakland took bids for a multi-use Hook Loader Truck; and

WHEREAS, Hoover Truck Center, 149 Gold Mine Road, Flanders, NJ 07836 was the lowest responsible bidder; and

WHEREAS, the cost per truck is \$200,198 broken down as follows: Base bid \$171,632, Option #1 \$2,650, Option 2 \$446.00, Option 3 \$2,280, Option #4 \$777.00, Option #5 \$17,989, Option #12 \$4,424; and

WHEREAS, the Borough wishes to purchase two (2) trucks for a total cost of \$400,396; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-652-202 \$175,000; Account #C-04-56-670-202 \$190,000 and Account #T-13-56-286-208 \$39,396;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the bid for the purchase of two (2) multi-use Hook Loader Trucks be awarded to Hoover Truck Center, Flanders, New Jersey for a total cost of \$400,396; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to enter into an agreement on behalf of the Borough.

Mr. Kunze advised that we were planning a replacement of big dump trucks. This new unit is a basic cab and chassis. The back of the unit allows us to interchange attachments as needed. Over time, we will be able to reduce the fleet. We are going to buy the chassis and then can buy different attachments in the future. We will buy two units now. In the 2014 capital plan, we will put in for another unit and more equipment. This will replace five trucks in the fleet all of which are at least twenty years old. Councilman Visconti advised that the vehicles we are currently using are so old and rusted that we are in desperate need of new vehicles. He commended DPW Superintendent Marcucilli for coming up with the concept. These units have stainless steel bodies so they won't rust. It is a great way to save money. Councilman Kulmala asked about the warranty. Mr. Kunze advised we put in the bid for an extended warranty for 5 years, 100,000 miles on the engine and there is a 5 year unlimited warranty on the transmission.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

RESOLUTION 14-146 APPROVE CONTRACT-M.O.U. FOR SECURITY AT MOTOR VEHICLE COMMISSION

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Chief of Police is hereby authorized to sign the agreement between the Borough of Oakland and the State of New Jersey, Division of Purchase and Property on behalf of the New Jersey Motor Vehicle Commission for the Law Enforcement Agency Security Enhancement Program subject to written agreement with the PBA.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

RESOLUTION 14-147 RENEW INCLUSION IN BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

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

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the Grantee or a unit of general local government that directly or indirectly receives CDBG funds may not sell, trade or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal consideration, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974; as amended.

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 20, 2014, each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Oakland and its residents to participate in said programs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015 – June 30, 2018); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 20, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

RESOLUTION 14-148 READOPT SAFE ROUTES TO SCHOOLS RESOLUTION AS AMENDED

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

WHEREAS, the Borough of Oakland, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

WHEREAS, the funds are provided under the Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the Oakland School Safety Project at Heights Elementary School and Valley Middle School meets all the criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the Oakland School Safety Project at Heights Elementary School and Valley Middle School will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of Oakland Borough; and

WHEREAS, the Borough of Oakland agrees to assume a commitment for maintenance of the project after construction is completed for at least a period of twenty (20) years from project completion; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey authorizes the Mayor to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the Oakland School Safety Project, SRS-2014-Oakland School Safety Project at Heights Elementary School and Valley Middle School-00107.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO. 14-CODE-702

The Clerk was directed to take from the table Ordinance No. 14-Code-702 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-13-CODE-694 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, this portion of the meeting be open for public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilwoman Coira, seconded by Councilman Pignatelli, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

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

BE IT RESOLVED that an Ordinance entitled, AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-13-CODE-694 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES, 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 Coira, Kulmala, Pignatelli, Visconti.

WORK SESSION:**RAMAPO VALLEY ROAD-LEFT TURN ON ELM STREET**

Mr. Kunze advised that a meeting was held on May 16th with the Police Chief and Traffic Officer, representative from Bergen County, Borough Engineer and Mike Kozak to discuss his ideas on traffic. A report was provided for the Council. As it relates to the left turn lane, all parties agreed that they need a left turn lane into Elm Street. Everyone felt it was appropriate to move forward with the ordinance. Councilman Pignatelli commented that someone should be stationed to do a traffic study. He saw that the County will install signs by the end of June. Mr. Kunze advised that it was his understanding that the County will install additional signs and more striping. Borough Engineer Rebecca Mejia commented that she thought the sign was supposed to be put by the Funeral Home. Mayor Schwager commented that it doesn't make sense to put a sign there if the left turn lane is further down Ramapo Valley Road.

BRIDGE INSPECTIONS

Rebecca Mejia advised that there are four bridges that need inspections. Island Terrace is already being done by the County. Boswell submitted proposals for inspection on the Patriot's Way bridge, Lenape Lane bridge and Lakeshore Drive. Councilman Pignatelli asked whose responsibility it was to maintain the bridges. Ms. Mejia responded it was the Borough's responsibility. Councilman Kulmala asked what the failure was on the Glen Gray Bridge. Ms. Mejia responded that the coating that was used will work except in moist conditions. The coating was also used on the Patriot's Way Bridge. We would like to remediate before that gets worse. Mr. Kunze advised that there was concern because both the Patriot's Way Bridge and Glen Gray Bridge were built at the same time. The Borough needs to get on a regular inspection schedule and then we can do regular maintenance. He recommended authorizing two separate agreements to Boswell. The one for Lakeshore and Lenape would be charged to the current fund. The Patriot's Way bridge will need a capital ordinance. We will put money in the bond ordinance and then authorize Boswell to inspect.

GREEN ACRES FUNDING

Mr. Kunze advised that we had heard the State was out of Green Acres money but we received a notice that funds are available. He assumes that since Oakland is a Planning Center community, we would want to submit for funding. It does not require a full application. He would assume the Council would want to request money for flood buyouts.

COUNCIL REPORTS:

Councilman Kulmala: He attended Sports Day at the Japanese school along with the Mayor. He attended the Ramapo Indian Hills Board of Education meeting on May 20th. The Board filled three open seats. Teresa Kilday will be the representative for Oakland. Councilman Kulmala will start working closely with the Ramapo Indian Hills Board of Education. There is a meeting tomorrow where the Board will vote on the appointment of the new Superintendent. They will also honor the teacher of the year who is from Oakland. Councilman Kulmala advised that there is a yearly competition that takes place with the Northwest Bergen Mutual Aid communities. There were three events and Oakland Fire Department took first place in all three events. The Oakland Fire Department received the best overall trophy.

Councilman Visconti: He advised that the Borough does a water quality report every year. That gets sent to every water user in the Borough. The Borough monitors the water every month. The next Flood Commission meeting will be held June 9th at 7:30 pm at the Senior Center. There are tree services doing clean up at the Park. The Boy Scouts will start projects at the Park in the next couple of weeks.

Councilman Pignatelli: The Shredding Program will be held on June 28th. On Sunday June 22nd, there will be Hazardous Waste Collection at Bergen Community College.

Councilwoman Coira: The Shade Tree Commission will meet Monday June 2nd at 7 pm. She thanked the Legion and Public Events Committee and all the groups that participated in the Memorial Day Parade. She congratulated the Fire Department and advised that Oakland is lucky to have them.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

Don Burns, 22 Whittier Lane, commented that there was no pickup of yard waste on Monday because of the holiday. There is no alternate pickup for this in the contract. He advised that every few years, the Borough used to change the garbage pickup days for residents so the same residents were not stuck with all the holidays. This hasn't been done in 7 or 8 years.

Frank Monaco, 60 Thackeray Road, advised he did not receive Crossroads by mail. Mr. Kunze advised it is supposed to go to all residential properties. Mr. Monaco congratulated the Fire Department. He also advised that the DPW works very hard. We are fortunate to have people in this town, including the Mayor and Council, that work hard.

Mike Pritchard, 23 Calumet Ave, advised that in the 1990's, Oakland's Fire Department was considered the best in the County. Our Fire Department are professionals and they do it on a volunteer basis.

Mike Kozak, 24 Cayuga Ave, advised there are about 14 sign posts on Ramapo Valley Road between Oak Street and Terhune. He is concerned about putting up more signs. Mr. Kozak said the Police Chief suggested an option for school traffic congestion is to bus more kids. The Green Team will meet on June 2nd at the Senior Center at 7:30 pm. He was impressed with the Korean Presbyterian Church and encouraged them to help with the Environmental Commission. The Carnival will be held June 25th to 28th. Wristbands will be offered Wednesday, Thursday and Friday nights only. Mr. Kozak would like the town to put less salt on the ground during storms.

Mr. Monaco advised he thought of busing the students but he is trying to save the taxpayers money.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

BILLS TO BE PAID:

On motion of Councilman Visconti, seconded by Councilman Pignatelli, 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 Coira, Kulmala, Pignatelli, Visconti.

MEETING ADJOURNED:

On motion of Councilman Visconti, seconded by Councilman Pignatelli, the meeting be adjourned at 9:05 pm.

ROLL CALL: All yeas, Councilmembers Coira, Kulmala, Pignatelli, Visconti.

Lisa M. Duncan, Borough Clerk
June 11, 2014

Mayor Linda H. Schwager

Date Approved