

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY OCTOBER 25, 2017

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Talamini, 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:  
PBA Negotiations; Sandy Beach; 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.

Mayor Schwager entered at 6:55 pm.

Discussion ensued over PBA negotiations.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:33 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. Absent: None. 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.

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**MAYOR'S REPORT:**

Mayor Schwager attended the AAA North Jersey Community Safety Traffic Awards luncheon. Oakland received the Award of Excellence. She thanked Traffic Officer Frank Fiore. Chief Kasper received an award as well as President of the Bergen County Police Chiefs' Association.

**RECOGNITION OF 12U TRAVEL SOFTBALL TEAM:**

Neil Malmud, manager for the 12U travel softball team, advised that this team was undefeated in League play and had an overall record of 29 wins and 3 losses. Mayor Schwager presented the team with certificates:

Natalie Christopher	Angela Delano	Sophia Del Grasso
Kathleen DiFalco	Kelly DiFalco	Lila Hoen
Natalie Lorenzo	Lugia Mayer Costa	Zoe Mecionis
Gabby Rinaldi	Amy Verbrugge	Nina Zuidema
Neil Malmud, Mgr.	Mike Vos, Coach	Scott Christopher, Coach
Kurt Zuidema, Coach		

**OPENED FOR PUBLIC DISCUSSION:**

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

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

Chopper Russo, 58 Minnehaha Blvd and Chair of the Oakland Green Team, advised that Oakland has been recertified by Sustainable Jersey as the Bronze level. This helps the Community with grants going forward. The Green Team is hoping to achieve Silver certification in the next round. Mr. Russo advised that the Halloween Parade will be Saturday at 10 am. He asked if we could have signs for the Sustainable Jersey Certification by the Welcome to Oakland signs.

Councilman Talamini thanked Mr. Russo for all he does with the Public Events Committee. Every event gets better and better. He reminded residents that the Public Events Committee needs volunteers.

Marilyn Stallman, 44 Truman Blvd, advised that the Oakland Elks are having a retro costume party Saturday night. She advised that volunteers are needed for the tv committee.

**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.

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

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

ROLL CALL: Yeas, Councilmembers Biale, Coira, Knapp, Talamini.  
Abstain, Councilman Kulmala.

**APPROVAL OF MINUTES: OCTOBER 11, 2017 EXECUTIVE SESSION**

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

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

**APPROVAL OF SIGN:**

On motion of Councilman Biale, seconded by Councilwoman Coira, approval be granted to Community of Commerce to post a sign at Bush Plaza advertising the Toys for Tots Event to be held December 2, 2017.

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

**APPROVE RAFFLE LICENSE RL1316**

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted for Raffle License RL1316 for Manito School PTO to hold an off-premise 50/50 on February 9, 2018 at Portobello, 175 Ramapo Valley Road.

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

**APPROVE RAFFLE LICENSE RL1317**

On motion of Councilman Biale, seconded by Councilwoman Coira, approval be granted for Raffle License RL1317 for Sports Association of Oakland to hold an off-premise raffle for merchandise on December 20, 2017 at Indian Hills High School, 97 Yawpo Avenue.

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

**RESOLUTION 17-276 EXPRESS OPPOSITION TO S-1045 OPMA AND S-1046 OPRA**

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

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing and purposefully confrontational individuals who submit voluminous requests for no legitimate reason, and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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

#### RESOLUTION 17-291 AUTHORIZE ISSUANCE OF RFQ'S

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

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said municipality's political parties or

to any candidate's committee of any person serving in an elective public office of the said municipality when such contract was awarded, unless said business entity is awarded a contract under a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the "RFQ") with ten (10) calendar days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Oakland (hereinafter the "Borough") to engage legal, financial and engineering professionals and the Borough desires to appoint such professionals for 2018 by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq. and in accordance with the Borough's Pay To Play Ordinance, Ordinance No. 12-Code-669.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Oakland, County of Bergen and State of New Jersey that requests for RFQs for professional services for the following professional services for the Borough and its agencies are hereby authorized:

1. Borough Attorney
2. Labor Attorney
3. Borough Auditor
4. Bond Counsel
5. Borough Engineer
6. Borough Prosecutor
7. Public Defender
8. Planning Board Attorney
9. Board of Adjustment Attorney
10. Borough Risk Manager
11. Borough Planner
12. Water and Sewer Engineer
13. Planning Board Engineer
14. Planning Board Planner
15. Board of Adjustment Engineer
16. Board of Adjustment Planner

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all such RFQs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough or Borough Agency; (4) and any other factors if demonstrated to be in the best interest of the Borough or Borough Agency.

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

RESOLUTION 17-292 AUTHORIZE RETURN ESCROW-72 WALNUT ST.

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

WHEREAS, Richard & Jessica Levis have requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-278;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Richard & Jessica Levis, 72 Walnut Street, Oakland, NJ 07436.

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

**RESOLUTION 17-293 AUTHORIZE RETURN ESCROW-111 RAMAPO HILLS BLVD.**

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

WHEREAS, Jennifer & Eric Stierle have requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-276;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Jennifer & Eric Stierle, 111 Ramapo Hills Blvd., Oakland, NJ 07436.

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

**RESOLUTION 17-294 AUTHORIZE RETURN ESCROW-23 BRANDYWINE**

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

WHEREAS, Daniel Piuck has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$108.25 remains in Escrow Account #T-26-00-004-299;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$108.25 to Daniel Piuck, 23 Brandywine Place, Oakland, NJ 07436.

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

**RESOLUTION 17-295 AUTHORIZE RETURN OF ESCROW-11 SHEFFIELD ST.**

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

WHEREAS, Kourosh & Joanna Aliha have requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$246.50 remains in Escrow Account #T-26-00-004-290;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$246.50 to Kourosh & Joanna Aliha, 11 Sheffield Street, Oakland, NJ 07436.

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

**RESOLUTION 17-296 AUTHORIZE RETURN OF ESCROW-N. MURPHY (9 HIAWATHA BLVD.)**

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

WHEREAS, Nelson Murphy has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$49.00 remains in Escrow Account #T-26-00-004-285;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$49.00 to Nelson Murphy, 159 Dumbarten Road, Baltimore, MD 21212

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

**RESOLUTION 17-297 AUTHORIZE RETURN OF ESCROW-8 HOPI COURT**

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

WHEREAS, Nelson Murphy has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-272;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Kimberly & Dietrich Kamm, 8 Hopi Court, Oakland, NJ 07436

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

**RESOLUTION 17-298 AUTHORIZE REFUND OF ESCROW-149 DOGWOOD DRIVE**

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

WHEREAS, Matthew & Michelle Folina have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-275;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Matthew & Michelle Folina, 149 Dogwood Drive, Oakland, NJ 07436

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

**RESOLUTION 17-299 AUTHORIZE REFUND OF ESCROW-383 W. OAKLAND AVE.**

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

WHEREAS, Zulema Sanchez has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-308;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Zulema Sanchez, 383 W. Oakland Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-300 AUTHORIZE REFUND OF ESCROW-90 GROVE STREET**

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

WHEREAS, Valery Bogdanov has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-309;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Valery Bogdanov, 90 Grove Street, Oakland, NJ 07436.



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

**RESOLUTION 17-301 AUTHORIZE RETURN OF ESCROW-32 ONEIDA AVE.**

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

WHEREAS, Walter & Cara Stienel have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-305;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Walter & Cara Stienel, 32 Oneida Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-302 AUTHORIZE RETURN OF ESCROW-76 PAWNEE AVE.**

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

WHEREAS, Ryan & Allison Marchini have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-304;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Ryan & Allison Marchini, 76 Pawnee Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-303 AUTHORIZE RETURN OF ESCROW-76 RAMAPO HILLS BLVD.**

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

WHEREAS, Robert & Holly Ann Smirles have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-303;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Robert & Holly Ann Smirles, 76 Ramapo Hills Blvd., Oakland, NJ 07436.

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

**RESOLUTION 17-304 AUTHORIZE RETURN OF ESCROW-90 THACKERAY**

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

WHEREAS, Scott & Deborah Babino have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-302;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Scott & Deborah Babino, 90 Thackeray Road, Oakland, NJ 07436.

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

**RESOLUTION 17-305 AUTHORIZE RETURN OF ESCROW-24 SILVER BIRCH AVE.**

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

WHEREAS, Bobbilyn Rayot has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-301;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Bobbilyn Rayot, 24 Silver Birch Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-306 AUTHORIZE RETURN OF ESCROW-20 FOOTHILLS LANE**

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

WHEREAS, Brian Cole has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-292;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Brian Cole, 20 Foothills Lane, Oakland, NJ 07436.

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

**RESOLUTION 17-307 AUTHORIZE REFUND OF ESCROW-3 STEVENS PLACE**

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

WHEREAS, James & Adele Dalenberg have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-291;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to James & Adele Dalenberg, 3 Stevens Place, Oakland, NJ 07436.

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

**RESOLUTION 17-308 AUTHORIZE REFUND OF ESCROW-92 YAWPO AVENUE**

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

WHEREAS, David & Evangelia LeParc have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-289;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to David & Evangelia LeParc, 92 Yawpo Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-309 AUTHORIZE REFUND OF ESCROW-73 HIAWATHA BLVD.**

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

WHEREAS, Susan Danis has requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-288;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Susan Danis, 73 Hiawatha Blvd., Oakland, NJ 07436.

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

**RESOLUTION 17-310 AUTHORIZE RETURN OF ESCROW-124 MANITO AVE.**

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

WHEREAS, Giulio & Teresa Pisani requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-284;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Giulio & Teresa Pisani., 124 Manito Avenue, Oakland, NJ 07436.

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

**RESOLUTION 17-311 AUTHORIZE RETURN OF ESCROW-60 GROVE STREET**

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

WHEREAS, Pamela Gates & Chris McKinnie have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-283;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Pamela Gates & Chris McKinnie, 60 Grove Street, Oakland, NJ 07436.

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

**RESOLUTION 17-312 AUTHORIZE RETURN OF ESCROW-52 POWHATAN PATH**

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

WHEREAS, Daniel & Karen Fern have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-281;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Daniel & Karen Fern, 52 Powhatan Path, Oakland, NJ 07436.

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

**RESOLUTION 17-313 AUTHORIZE REFUND OF ESCROW-14 THIRD STREET**

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

WHEREAS, Joseph & Sally DaPassano have requested that any Professional Review Escrow funds be returned for his application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$37.50 remains in Escrow Account #T-26-00-004-279;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$37.50 to Joseph & Sally DaPassano, 14 Third Street, Oakland, NJ 07436.

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

**RESOLUTION 17-314 REFUND REDEMPTION MONIES-LIEN 16-00056**

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

WHEREAS, the Oakland Tax Collector has received funds from a property owner or other party of interest for redemption of a Tax Sale Lien 16-00056, Block 3903, Lot 42.60, better known as C-2 East Oak Street on September 12, 2017; and

WHEREAS, lien holders are entitled to payment for redemption of the Tax Lien upon receipt of funds by the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$14,908.54 payable to Tower Fund Services/Cust Ebury, Twr as Cst for Ebury Fund 1 NJ, P.O. Box 37695, Baltimore, MD 21297;

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$14,908.54 to the aforementioned lien holder.

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-758**

The Clerk was directed to take from the table Ordinance No. 17-Code-758 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "AN ORDINANCE AMENDING CHAPTER II, SECTION 2-5 OF THE OAKLAND CODE, ENTITLED "POLICE DEPARTMENT" SO AS TO AMEND THE TABLE OF ORGANIZATION"

**OPENED FOR PUBLIC DISCUSSION:**

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

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

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending Chapter II, Section 2-5 Of The Oakland Code, Entitled "Police Department" So As To Amend The Table Of Organization, 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.

**FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-759**

The Clerk was directed to take from the table Ordinance No. 17-Code-759 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-16-CODE-738 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 Biale, seconded by Councilwoman Coira, this portion of the meeting be opened for public discussion.

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

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

On motion of Councilman Talamini, 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 Revising, Amending And Reenacting Paragraphs 1 Through 16 Of Ordinance No-16-Code-738 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 Biale, Coira, Knapp, Kulmala, Talamini.

**WORK SESSION:**

**CELL TOWER BID:**

Mr. Kunze advised that Capital Telecom was the only one to submit a bid for the cell tower lease. The bid does not meet the minimum terms of the specifications. He is recommending the bid be rejected and rebid. Mr. Chewcaskie confirmed that Capital Telecom did not comply with the specifications.

**JOINT BID FOR GARBAGE DISPOSAL:**

Mr. Kunze explained that our current contract for garbage disposal expires at the end of 2017. The WOLF cooperative group, with Wyckoff as the lead agency, took bids. Wyckoff awarded the contract to two firms. Covanta was awarded the contract for 2018 and 2019. Gaeta was awarded the contract for 2020, 2021 and 2022. The rates are reasonable and are less than what the Borough was paying in 2012. A resolution will be listed on the next agenda.

**COUNCIL REPORTS:**

Councilman Talamini: The Halloween Parade will be held Saturday at 10 am. There will be Trick or Trunk with vintage cars, a maze, pumpkins and refreshments. He reminded residents to vote on November 7<sup>th</sup>.

Councilman Kulmala: There was a Public Safety meeting on October 17<sup>th</sup>. It is a quarterly meeting with all the agencies. The agencies are exploring federal grants for surplus. He advised that all the public safety agencies will meet with the grant writer to get education on available grants. Councilman Kulmala advised that on November 1<sup>st</sup>, the smoking age goes to 21.

Councilman Biale: Seniors can register for the flu shot on October 26<sup>th</sup>. The flu shots will be given on November 2<sup>nd</sup>. The Christmas show is sold out. The Senior Center needs to replace the piano. If anyone has one they would like to donate, contact Rose at the Senior Center. The Water & Sewer Committee is continuing on the quest for sewers. There have been many meetings with DEP and we have their blessing. He advised that the first meeting with Northwest Bergen Utilities Authority was held about 10 days ago and we are looking forward to an agreement.

Councilwoman Coira: She thanked Chopper Russo for all his work on the Green Team and she thought it would be great to have signs advertising the Borough's Sustainable Jersey certification. The next Shade Tree meeting is November 6<sup>th</sup>. The Environmental Commission will meet on November 14<sup>th</sup>. The Planning Board will meet on November 9<sup>th</sup> at the Senior Center.

Councilman Knapp: The Borough got an award for Public Safety. The Municipal Alliance Committee will meet on December 4<sup>th</sup>. The Board of Health met on October 17<sup>th</sup>.

**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. Ryan Schwertfeger, 58 Andrew Avenue, advised that the next fundraiser for the Dog Park will be a Craft Show for Canines on November 12<sup>th</sup> at the Knights of Columbus from 10 am to 4 pm.

Aneesh Trivedi, 8 Hannah Road, is a member of Scout Troop 369. He questioned the status of the Wawa. Mayor Schwager advised that application is being heard by the Board of Adjustment. Mr. Kunze advised that there have been several hearings. The testimony is slow and there are still more witnesses to be heard.

**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.

**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.

**MOVE TO EXECUTIVE SESSION:**

On motion of Councilman Biale, 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:  
Sandy Beach; 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, Knapp, Kulmala, Talamini.

Discussion ensued over Sandy Beach and personnel matters.

CLOSE EXECUTIVE SESSION:

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

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

RECONVENE REGULAR MEETING:

On motion of Councilman Talamini, seconded by Councilwoman Coira, the regular meeting be reconvened.

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

MEETING ADJOURNED:

On motion of Councilman Talamini, seconded by Councilman Knapp, the meeting be adjourned at 9:10 pm.

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

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Lisa M. Duncan, Borough Clerk

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Mayor Linda H. Schwager

November 8, 2017

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Date Approved