

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY OCTOBER 26, 2016

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Visconti, seconded by Councilman Jensen, 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:
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, Jensen, Talamini, Visconti.

Discussion ensued over a personnel matter.

CLOSE EXECUTIVE SESSION:

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

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

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, Jensen, Talamini, Visconti. Absent: Councilman Kulmala. 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.

MOTION TO EXCUSE ABSENCE:

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

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

MAYOR'S REPORT:

Mayor Schwager attended the annual AAA Traffic Safety Awards Program with Traffic Officer Fiore and Borough Administrator Kunze. Mayor Schwager thanked the Police Department because Oakland won the Outstanding Achievement award once again. Mayor Schwager invited a special guest Olivia, a student at Dogwood Hill School to come to the meeting tonight and present her idea for the town. Mayor Schwager advised that the School Board is doing an informal survey to get an idea from residents whether the School Board Election should remain in April or move to November. This is being done because the voter turnout in April is very low. Councilman Talamini advised that residents can access the survey on the schools website.

OPENED FOR PUBLIC DISCUSSION:

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

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

Olivia de los Reyes, 3 Academy Circle, wrote a letter to the Mayor asking if there could be a town pool so families can enjoy it and there can be a swim team. She suggested the pool could go at the Recreation field by the toddler playground or on the grass. Councilman Biale asked Olivia how she thinks the town will pay for the pool. Olivia responded that the town can get the money from the bank and sell passes to the pool. Mayor Schwager explained that there are the issues of cost and liability but the Council can discuss this.

Ed Hudsina, 576 Ramapo Valley Road, complained about the truck traffic in town and believes it is a GPS problem sending trucks the wrong way. He asked the Mayor and Council to look into this matter. Also, he feels there should be a Do Not Block The Box at the intersection of Ramapo Valley Road and Franklin Avenue. He explained that cars making a left onto Ramapo Valley Road from Franklin Avenue often block the intersection.

Alexandra Kozlovski, 19 Barnard, thinks the town needs a theater.

Marisol Kozlovski, 19 Barnard, advised that in the beginning of November, the 2nd graders come to the Van Allen House for presentations. She invited the Mayor and Council to attend. She explained that when the buses pick the kids up from the Van Allen House, the traffic does not stop for the school bus and it creates a dangerous situation. She asked for a traffic officer on those days.

Dave Richardson, 320 Ramapo Valley Road, spoke about people speeding by Ramapo Valley Road and West Oakland Ave. Mayor Schwager will alert the Traffic Safety Officer. Mr. Richardson advised he spoke to Bergen County about readjusting the traffic light going north on Ramapo Valley Road at West Oakland Avenue. He thinks the green arrow should be at the beginning of the light not at the end.

Alexandra Crescitelli, 38 Oak Street, thinks there should be sidewalks in town.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: OCTOBER 10, 2016

On motion of Councilman Jensen, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of October 10, 2016 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Jensen, Talamini, Visconti.
Abstain, Councilwoman Coira.

APPROVAL OF MINUTES: OCTOBER 10, 2016 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Visconti, the minutes from the Mayor and Council Executive Session of October 10, 2016 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Jensen, Talamini, Visconti.
Abstain, Councilwoman Coira.

APPOINTMENTS TO FIRE DEPARTMENT:

Mayor Schwager administered the Oath of Office to Carlos Henriques as Firefighter and Grady Dies and Gary Greulich as Junior Firefighters for the Oakland Volunteer Fire Department.

CERTIFICATES FOR TEEN LIBRARY VOLUNTEERS:

Mayor Schwager handed out certificates for the teen Library volunteers. She thanked them and their parents for their support.

Jasmine Azar	Arabella Benducci	Julianna Benducci	Talia Benducci
Jack Berkowicz	Caitlin Conlon	Madi Dela Gente	Nikki Dela Gente
Sydney Gitlitz	Benjamin Good	Mollie Good	Tara Haymon
Natalya Kozlovski	Jennifer Kunz	Ashley Lo	Halle Miller
Kayla O'Neill	Amaya Pichardo	Lea Pichardo	Leah Renshaw
Miguel Roberts	Casey Rutko	Melissa Stellenwerf	Christopher Supko
T.J. Supko	Megan Swenson	Aliana Trianine	Isabella Trianine
Connor Uber	Anthony Xavier		

APPROVE RAFFLE LICENSE RL1284

On motion of Councilman Biale, seconded by Councilman Visconti, approval be granted for Raffle License RL1284 for Ramapo Youth Soccer Association to hold an off-premise 50/50 calendar raffle January 1, 2017 through March 31, 2017.

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

RESOLUTION 16-198 CHANGE ORDER 2 ROAD PROGRAM

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

WHEREAS, a contract was awarded to D & L Paving Contractors, Inc., 281 Franklin Avenue, Nutley, NJ, in the amount of \$ 1,000,552.69 for the 2016 Road Program; and

WHEREAS, the following Change Order has been requested:

Change Order 2	Contract price increase	
	Add NJDOT portion (West Oakland Avenue)	\$ 131,919.10

WHEREAS, the Change Order has been reviewed and recommended by the Borough's Engineer, Boswell McClave Engineering; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize Change Order #1 for a contract price increase in the amount of \$131,919.10 for a total contract amount of \$ 1,000,552.69.

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

RESOLUTION 16-200 AUTHORIZE CHAPTER 159-BODY ARMOR GRANT

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland in the County of Bergen, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$ 2,344.57 which is now available from the Body Armor Grant.

BE IT FURTHER RESOLVED, that the like sum of \$2,344.57 is hereby appropriated under the caption Body Armor Grant Award; and

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Oakland in the amount of \$2,344.57.

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

RESOLUTION 16-201 AUTHORIZE CONTRACT-GASOLINE

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

WHEREAS, the Borough of Oakland needs to purchase gasoline for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #15-65, Gasoline, to Rachles/Michele's Oil and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase gasoline through the Bergen County Cooperative Pricing Council in an amount not to exceed \$ 130,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 6-01-31-460-001 and Water Operating Fund budget account #6-05-55-504-400 and from appropriation in the 2017 budget, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Gasoline, in an amount not to exceed \$130,000, through the Bergen County Cooperative Pricing System, contract # 15-65, Gasoline, awarded to Rachles/Michele's Oil, 116 Kuller Road, Clifton, NJ .

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

RESOLUTION 16-202 AUTHORIZE CONTRACT-DIESEL FUEL

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

WHEREAS, the Borough of Oakland needs to purchase diesel fuel for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #15-64, Diesel Fuel to Rachles/Michele's Oil Co. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase diesel fuel through the Bergen County Cooperative Pricing Council in an amount not to exceed \$ 60,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 6-01-31-460-001 and Water Operating Fund budget account# 6-05-55-504-400 and from appropriation in the 2017 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Diesel Fuel, in an amount not to exceed \$60,000, through the Bergen County Cooperative Pricing System, contract # 15-64 Diesel Fuel awarded to Rachles / Michele's Oil Co., 116 Kuller Road Clifton, NJ .

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

RESOLUTION 16-203 AUTHORIZE PURCHASE REPLACEMENT PICK UP

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

WHEREAS, the Department of Public Works wishes to purchase two (2) Ford F350 Pick-Up Trucks; and

WHEREAS, Winner Ford of Cherry Hill, NJ has State Contract #A88758T2101 for the vehicles desired at a cost of \$34,423.00 per vehicle; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-710-204;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the purchase of two Ford F350 Pick-Up Trucks at a total cost of \$68,846.00.

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

RESOLUTION 16-204 AUTHORIZE RECREATION REFUND

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

WHEREAS, the Borough of Oakland has received requests for refunds of Recreation Registration Fees in the amount of \$516.00; and

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

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorize refunds to:

Theresa Barry, 12 Shoshone Path, Oakland, NJ 0736 soccer refund due \$75.00
Dana Van Voorhis, One Woodcrest, Oakland, NJ 07436 soccer refund due \$60.00
Janine Gribbin, 7 First Street, Oakland, NJ 07436 football refund due \$102.00
Lynn Bohm, 81 Hiawatha Blvd, Oakland, NJ 07436 football refund due \$102.00
Elizabeth Breen, 20 Winters Street, Oakland, NJ 07436 football refund due \$102.00
Kristen Paxos Mecionis, 7 Arrowhead Rd, Oakland, NJ 07436 soccer refund due \$ 75.00

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

RESOLUTION 16-205 AUTHORIZE BOSWELL TO PERFORM WASTEWATER TREATMENT PLANT INVESTIGATION

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

WHEREAS, the Borough of Oakland needs an assessment of the three wastewater treatment plants to identify any necessary equipment in need of rehabilitation or replacement; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated September 15, 2016, for the services required in an amount not to exceed \$18,000; and

WHEREAS, Boswell McClave has submitted all paperwork necessary to comply with the Borough of Oakland's Pay-to-Play policy; 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 #6-01-20-165-021;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell McClave to perform the Wastewater Treatment Plant Investigation at a cost not to exceed \$18,000; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to execute the agreement.

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

RESOLUTION 16-206 AUTHORIZE HEALTH BENEFITS WAIVER PROGRAM

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

WHEREAS, NJSA 40A:10-17.1 authorizes municipalities to offer payments in lieu of benefits for employees that waive their healthcare coverage, under certain conditions; and

WHEREAS, the Borough of Oakland believes it to be in the best interest of the community to implement a program for cash payments in lieu of providing medical insurance for its employees;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey that a Health Benefits Waiver program is hereby established in accordance with NJSA 40A:10-17.1 as set forth below:

- Borough employees that are entitled to health insurance may opt to decline health insurance and receive bi-weekly payments in lieu of health insurance.

- The annual payment shall be 25% of the net premium amount (net premium amount being defined as the applicable total insurance premium less the amount of the employee's premium contribution), or \$5,000, whichever is less.
- Employees may choose to waive all or some of the following coverages: medical and prescription together, dental, vision.
- To be eligible, the employee must submit a written request to the Borough Administrator on a form provided by the Borough Administrator and provide proof of other group insurance coverage. This proof of coverage must be an official document verifying that the employee is insured under a group health insurance plan. A copy of an insurance identification card is not sufficient.
- Enrollment by the employee in the paid waiver program shall be for the full calendar year. However, the employee may resume coverage with the Borough during the year if the employee ceases to be covered through the employee's spouse.

BE IT FURTHER RESOLVED, that it is recognized that certain employees already waive health benefits coverage without a payment and the Borough is saving \$47,231 in 2016 as a result of these waivers. Therefore, the program shall only be authorized if the Borough will save at least \$47,231 in 2017.

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

RESOLUTION 16-207 RETURN OF PERFORMANCE GUARANTY-CENZINO'S

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

WHEREAS, VTS Enterprises, LLC posted performance guaranty with the Borough of Oakland in the amount of \$97,200.00 representing a cash performance bond; and

WHEREAS, the aforementioned guarantees were posted in connection with on site improvements for the premises located at 589 Ramapo Valley Road and known as Block 1301, Lot 5 on the Tax Map of the Borough of Oakland; and

WHEREAS, all site work has been completed by VTS Enterprises, LLC, and same has been inspected and approved by the Borough Engineer, Boswell McClave Engineering; and

WHEREAS, VTS Enterprises, LLC has requested a release of the performance guaranties; and

WHEREAS, the Mayor and Council of the Borough of Oakland has reviewed the recommendation of Boswell McClave Engineering, and have determined that the site improvements for the project have been completed and the performance bond can be released at this time contingent upon the developer posting a maintenance bond in the amount of \$12,150.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland as follows:

1. The site improvements required by that certain Developer's Agreement with VTS Enterprises, LLC at the property located at 589 Ramapo Valley Road and

- known as Block 1301, Lot 5 have been completed and the performance guaranty, in the amount of \$97,200.00 can be released.
2. The release of the performance guaranty shall be contingent upon the developer posting a maintenance guaranty in the amount of \$12,150.00.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to: (i) the Chief Financial Officer of the Borough of Oakland; (ii) the Construction Code Official of the Borough of Oakland; (iii) VTS Enterprises, LLC ; (iv) Brian M. Chewcaskie, Borough Attorney.

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

RESOLUTION 16-208 AUTHORIZE BANK ACCOUNT-CLAIMS FUND

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

BE IT RESOLVED that TD Bank be designated as the Official Depository of this Borough for its accounts known as:

THE CLAIMS FUND ACCOUNT and

BE IT RESOLVED that the Treasurer or the Borough Administrator, Borough Clerk or the Deputy Borough Clerk, Mayor, or Council President are hereby designated as the signatories for the Claims Fund Account for the Borough of Oakland.

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

RESOLUTION 16-209 FULLY EXEMPT VETERAN BLOCK 4803, LOT 1

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

WHEREAS, on March 10, 2016, the Tax Assessor granted a full property tax exemption as a permanently disabled veteran to Michael Bann, as the owner of Block 4803 Lot 1; and

WHEREAS, the tax exemption is retroactive to March 10, 2016, and because of the foregoing, taxes for the year 2016 should be canceled and a refund be issued in the amount of \$ 5,824.61 for taxes paid to date;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the amount of 2016 property taxes be cancelled and a refund in the amount of \$ 5,824.61 be issued to Michael Bann.

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

RESOLUTION 16-210 AUTHORIZE AGREEMENT SENIOR CENTER IMPROVEMENTS

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$45,000 in 2016

Community Development Block Grant funds for Senior Center Improvements, 20 Lawlor Drive, Oakland, NJ;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Linda H. Schwager to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Richard S. Kunze to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Oakland is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

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

RESOLUTION 16-211 CHAPTER 159-DRUNK DRIVING ENFORCEMENT

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland in the County of Bergen, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$ 3,188.53 which is now available from the Drunk Driving Enforcement Fund.

BE IT FURTHER RESOLVED, that the like sum of \$3,188.53 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Oakland in the amount of \$3,188.53.

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

INTRODUCTION: ORDINANCE NO. 16-CODE-746 AMEND SOLAR PANEL

The Clerk was directed to take from table Ordinance No. 16-Code-746 and read by title for its first reading.

The Clerk then read by title Ordinance No.16-Code-746 entitled: " AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF OAKLAND, CHAPTER 59, "LAND USE AND ZONING", TO AMEND AND SUPPLEMENT SECTION 59-66.6, "SOLAR PANEL INSTALLATION" TO REGULATE THE INSTALLATION OF SOLAR PANELS.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend The Code Of The Borough Of Oakland, Chapter 59, "Land Use And Zoning", To Amend And Supplement Section 59-66.6, "Solar Panel Installation" To Regulate The Installation Of Solar Panels, be introduced;

That said Ordinance be considered for final adoption at a meeting on November 22, 2016 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before November 2, 2016 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

FINAL PUBLIC HEARING: ORDINANCE NO. 16-CODE-745

The Clerk was directed to take from the table Ordinance No.16-Code-745 -and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2-7.4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND ENTITLED "SHADE TREE COMMISSION".

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, Jensen, 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, Jensen, Talamini, Visconti.

On motion of Councilman Biale, seconded by Councilman Talamini, 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 2-7.4 Of The Revised General Ordinances Of The Borough Of Oakland Entitled "Shade Tree Commission", 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.

Councilman Jensen questioned if this is a maximum of seven members. Mr. Chewcaskie responded that under the Statute, Shade Tree Commissions can have seven members. This ordinance is just adding two alternate members.

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

WORK SESSION:

SIGN ORDINANCE:

Mr. Chewcaskie advised that last meeting there were suggestions made about the draft sign ordinance. The ordinance has been revised and provided to the Governing Body. It removed the provision regarding streamers, flags and pennants. It provides a one month period for the erection of non-commercial signs which includes political signs. It also removes the provision of fees for signs for the announcement of future events and relating to non-commercial activities. Mayor Schwager commented that this had to be done to conform with the Supreme Court decision. This will be listed for introduction on November 9th.

HEALTH SERVICES CONTRACT:

Mr. Kunze advised this agreement is for 2016. There were issues with the language in the agreement and the issues have finally been resolved. The agreement includes the same scope of services the County has been providing. What is changing is how the County is coming up with the cost. There is more variability than there has been in the past. It is still a good value. He is recommending the agreement be renewed for a five-year term. He explained that the agreement can be terminated if needed. Mayor Schwager asked if we are better off hiring a health officer. Mr. Kunze responded that this is usually done by shared service. It may not save money to hire in-house. He will look at this in the future.

COUNCIL REPORTS:

Councilwoman Coira: No report.

Councilman Jensen: The Zoning Board will meet November 15th at 8 pm and the Planning Board will meet on November 10th at 7 pm.

Councilman Visconti: The Library project has gone out to bid. The bid opening will be held November 22nd. The Flood Commission will meet on November 14th. The Park Committee has not scheduled their next meeting.

Councilman Biale: The Senior Center will hold a seminar on Decluttering on October 28th. Councilman Biale will be at the Senior Center on Friday at 11 am to visit and answer questions. There is a drought warning issued by the DEP. He read tips from the DEP to conserve water. Councilman Biale and other members of the Municipal Pipeline Group met with the DEP. The DEP advised that Pilgrim has not applied for permit yet. The DEP will take the Highlands into consideration whenever Pilgrim does apply. The DEP had advised that as soon as the project exceeds 5 acres of land disturbed, the EPA becomes involved. The Army Corps of Engineers will also be involved. If Pilgrim does get a permit, the DOT will oversee the project. Councilman Biale explained Oakland's concern over the sole source aquifer and the fault.

Councilman Talamini: The School Board survey on the election can be accessed on the school website. The Public Events Halloween Parade will be held October 29th at 10 am. The Board of Health meets on November 22nd. Councilman Talamini reminded everyone to vote on November 8th.

Mayor Schwager commented that this is a big town for volunteerism but some organizations are losing members. She will start highlighting a different organization each meeting.

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, Jensen, Talamini, Visconti.

Jeff Whitney, 13 Chuckanutt, wants to recognize the work of John Schaus on the Shade Tree Commission. It is a good thing to open membership up to new people.

CLOSED FOR PUBLIC DISCUSSION:

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

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

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Visconti, the meeting be adjourned at 8:38 pm.

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

Lisa M. Duncan, Borough Clerk
November 9, 2016

Mayor Linda H. Schwager

Date Approved