

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY NOVEMBER 12, 2014

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Coira, 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:
Negotiations, 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 Coira, Jensen, Kulmala, Talamini, Visconti.

Discussion ensued over negotiations with Universal Broadcasting, negotiations with Northwest Bergen County Utilities Authority and personnel matters.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:31 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, Talamini, Visconti. Absent: Councilman Pignatelli. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Steven Muhlstock, 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:

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

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

MAYOR'S REPORT:

Mayor Schwager congratulated Councilman Talamini and Councilwoman Coira on their re-election. She advised that on October 30th, a pee-wee football game was held between Oakland and Franklin Lakes. Oakland won the game and Franklin Lakes' Mayor Bivoni brought donuts to Borough hall. She thanked Mayor Bivona. The Toys for Tots runs through town on December 6th. Rockland Electric will be doing vegetative maintenance on various streets beginning November 15th. On November 11th, the American Legion held a Veteran's Day ceremony. Last Wednesday, a meeting was held with Northwest Bergen County Utilities Authority to further discuss the possibility of sewers. The traffic light at Courthouse Place is being worked on by the State.

APPOINTMENT OF JUNIOR FIREFIGHTERS:

On motion of Councilman Jensen, seconded by Councilman Kulmala, the Council appointed Michael Cassella as Junior Firefighter to the Oakland Volunteer Fire Department.

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

Mayor Schwager administered the Oath of Office to Michael Cassella.

APPOINTMENT OF JUNIOR FIREFIGHTERS:

On motion of Councilman Jensen, seconded by Councilman Kulmala, the Council appointed Sean Torpey as Junior Firefighter to the Oakland Volunteer Fire Department.

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

Mayor Schwager administered the Oath of Office to Sean Torpey.

OPENED FOR PUBLIC DISCUSSION:

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

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

Dave Richardson, 320 Ramapo Valley Road, spoke about the potential hazard from people turning into the Post Office parking lot from Ramapo Valley Road. He asked if the Borough was going to finish resurfacing West Oakland Ave. He at least asked if the pothole by the light at Skyline could be patched. Mr. Kunze advised that the Borough did apply for a DOT grant to resurface areas where there was a discrepancy of ownership but the Borough was denied funding. The area Mr. Richardson is speaking about is owned by the County not the Borough.

Don Burns, 22 Whittier Lane, commented that it was great to see the Valley Middle School 8th graders at the Veteran's Day ceremony. He thanked Councilman Talamini for getting the school involved. Councilman Talamini advised that the school was happy to be a part of the ceremony. They hope to make it an annual event.

Marisol Kozlovski, 19 Barnard, advised that this week are the second grade class trips to the Van Allen House. Dutch Christmas is going to be held on December 7th. She spoke of a problem with the Recreation soccer kindergarten program and explained that she pulled her child from the program. She spoke of an issue with the reimbursement process. Mayor Schwager asked if she has gone to the Recreation Commission meeting. Ms. Kozlovski advised that she could not find the meeting schedule. Recreation Chairman Mike Guadagnino advised that he was not aware of this situation and that he can be contacted at any time. He advised that the Recreation Commission meets the fourth Monday of the month and the schedule is on the Recreation website. Councilman Talamini commented that he has kids in Recreation and he had to get a refund and he had a positive experience.

CLOSED FOR PUBLIC DISCUSSION:

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

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

PUBLIC HEARING ON THE BOROUGH OF OAKLAND APPLICATION TO THE BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION FUND-MODULAR DUGOUT PROJECT

Recreation Chairman Mike Guadagnino advised that the Recreation Commission is looking to put in four modular dugouts-two on Field 9 and two on Field 3. These two fields are directly in the sun and these modular dugouts would protect the children. The Borough is applying for a grant for 50% of the cost.

OPENED TO THE PUBLIC:

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

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

No comments made.

CLOSED TO THE PUBLIC:

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

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

PUBLIC HEARING ON THE BOROUGH OF OAKLAND APPLICATION TO THE BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION FUND-FLOOD ACQUISITION PROGRAM

Aaron Cela from the Land Conservancy of New Jersey explained that the Borough has applied to Bergen County for Phase 2 of the Roosevelt Boulevard property acquisitions. This application is to purchase the following seven properties: 76 Roosevelt Blvd, 78 Roosevelt Blvd, 80 Roosevelt Blvd, 82 Roosevelt Blvd, 84 Roosevelt Blvd, 71 Roosevelt Blvd, and 7 First Street. This continues the purchase of the properties contiguous to the Truman Field to preserve for open space and to help alleviate flooding. Councilman Visconti asked what the total acreage of open space would be. Mr. Cela responded there would be approximately 3 acres in addition to Truman Field. He explained that the homes would no longer be in the floodway and the town would not be in a position to endanger emergency services by having to rescue people in a flood.

OPENED TO THE PUBLIC:

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

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

No comments made.

CLOSED TO THE PUBLIC:

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

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

APPROVAL OF MINUTES: OCTOBER 22, 2014

On motion of Councilman Visconti, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of October 22, 2014 be approved.

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

APPROVAL OF MINUTES: OCTOBER 22, 2014 EXECUTIVE SESSION

On motion of Councilman Jensen, seconded by Councilwoman Coira, the minutes from the Mayor and Council Executive Session of October 22, 2014 be approved.

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

Mayor Schwager advised that at the last meeting, Councilman Visconti brought up the idea of a Committee to look at vacant Borough properties. According to the bylaws, it would be considered an Ad-hoc Committee which would be appointed by the Mayor. She advised that Councilman Jensen already started working on this and he met with the DPW Superintendent and the Borough Administrator. Mayor Schwager advised that he can continue working and report back to the Council. Councilman Visconti responded that the concept he had is larger than

something one person can handle. It would involve coordination with other entities to inquire about affordable housing. He would like to see Councilwoman Coira on this Committee as well as Councilman Jensen. He advised that according to the bylaws, the Council President appoints standing committees and there are sub-committees as well. Mayor Schwager asked Councilman Jensen to talk to Councilman Visconti. Councilman Visconti asked why the Mayor cannot just appoint Councilwoman Coira to the Committee. Councilman Jensen advised that he would like to do the job and he doesn't think there needs to be a formal committee. If he needs help, he can ask for it. Mayor Schwager advised that this will be held until the next meeting.

RESOLUTION 14-248 AMEND CONTRACT-BOROUGH AUDITOR

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

WHEREAS, the Borough of Oakland awarded contract to Frank DiMaria and the firm of DiMaria and DiMaria to serve as Borough Auditor for the year 2014; and

WHEREAS, there is a need for Mr. DiMaria to provide additional advice and assistance to the Finance Office on an as needed basis to ensure the Borough fulfills its operational and statutory requirements by the end of the year; and

WHEREAS, the cost for the additional services required will not exceed \$10,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #4-01-20-135-028;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby amend the contract for DiMaria and DiMaria by an additional amount not to exceed \$10,000 to a total of \$47,000.

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

RESOLUTION 14-249 AUTHORIZE PHOENIX ADVISORS, LLC TO SERVE AS CONTINUING DISCLOSURE AGENT

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

WHEREAS, SEC Rule 15c:2-12 requires municipalities to file financial and statistical information as well as notices of "material events" affecting the Borough; and

WHEREAS, Phoenix Advisors LLC has submitted a proposal dated September 26, 2014, to provide a review of past statements of compliance and file any outstanding information in an amount of \$1,200; and

WHEREAS, Phoenix Advisors LLC has submitted all necessary paperwork to comply with the Borough's Pay-to-Play requirements; and

WHEREAS, this contract is for a professional service which does not require public bidding; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #4-01-20-110-044

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Phoenix Advisors LLC in an amount not to exceed \$1,200 for services as specified in their proposal dated September 26, 2014; and

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

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

**RESOLUTION 14-251 AUTHORIZE BOSWELL-STORMWATER PIPE AT 103
LAKESHORE DRIVE**

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

WHEREAS, there is a need to line the stormwater pipe located at 103 Lakeshore Drive;
and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated October 27, 2014 in the amount not to exceed \$ 2,500 for services to coordinate the solicitation of quotes and to provide construction inspection for the project; and

WHEREAS, Boswell McClave has submitted all necessary paperwork to comply with the Borough of Oakland's Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Office has certified that funds are available in Account # C-04-56-690-201;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Boswell McClave Engineering in the amount not to exceed \$2,500 for services as outlined in their proposal dated October 27, 2014; and

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

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

RESOLUTION 14-252 BUDGET TRANSFER

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

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Fiscal 2014 budget of the Borough of Oakland; and

WHEREAS, there exists certain budget expenditures with funds available in excess of the amounts approved in the Fiscal 2014 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A.40A:4-58 permits the transfer of such funds during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that based on the recommendation of the Chief Financial Officer, the following transfers be made to the Fiscal 2014 Current Fund budget:

<u>Current Fund</u>	<u>From</u>	<u>To</u>
4-01-26-305-082 Garbage & Trash-Other Expenses	<u>\$10,000</u>	
Sub-total	\$10,000	
4-01-20-135-028 Audit-Other Expenses		<u>\$ 10,000</u>
Sub-Total		\$ 10,000

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

RESOLUTION 14-253 AUTHORIZE GRANT APPLICATION-MODULAR DUGOUT PROJECT

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

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund") provides matching grants to municipal governments and to nonprofit Organizations for assistance in the development or redevelopment of municipal recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a matching grant of \$19,480.00 from the County Trust Fund to fund the following project: Modular Dugouts; and

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the governing body received public comments on the proposed park improvements in the application on November 12, 2014; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 31, 2014, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, Mayor and Council of the Borough of Oakland has, or will

- secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Mayor and Council of the Borough of Oakland is committed to providing a dollar for dollar cash match for the project; and
 4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
 5. That the Mayor and Council of the Borough of Oakland agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project; and
 6. That this resolution shall take effect immediately.

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

RESOLUTION 14-254 AUTHORIZE GRANT APPLICATION-FLOOD ACQUISITION PROGRAM

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

WHEREAS, the Borough of Oakland desires to acquire properties for the purpose of floodplain protection; and

WHEREAS, the acquisitions consist of a total of seven (7) properties as follows in order of priority:

Project Area: Roosevelt Boulevard

Priority Properties:

- #1 – 76 Roosevelt Blvd., Block 1605, Lot 8
- #2 – 78 Roosevelt Blvd., Block 1605, Lot 9
- #3 – 80 Roosevelt Blvd., Block 1605, Lot 10
- #4 – 82 Roosevelt Blvd., Block 1605, Lot 11
- #5 – 84 Roosevelt Blvd., Block 1605, Lot 12
- #6 – 71 Roosevelt Blvd., Block 1601, Lot 5
- #7 – 7 First Street, Block 1601, Lot 4

WHEREAS, the Borough of Oakland desires to apply for a grant through the Bergen County Floodplain Protection Program for the funding of the application of the listed properties with this application; and

WHEREAS, the Borough of Oakland desires to authorize the execution and submission of said application to the Bergen County Floodplain Protection Program and the acceptance of said funds in the event the Borough of Oakland is awarded the grant.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oakland, County of Bergen, State of New Jersey as follows:

1. The Borough of Oakland hereby authorizes and endorses the application for a Bergen County Floodplain Protection Grant for the acquisition of properties in the Roosevelt Boulevard Project Area; and

2. The Municipal Council hereby authorizes and directs the Borough Administrator to execute said application and together with all other appropriate officers, employees, and professionals of the Borough of Oakland are hereby authorized and directed to take any and all necessary steps to effectuate the purposes of this resolution;
3. The Borough of Oakland hereby authorizes the acceptance of said grant funds in the event the same is awarded; and
4. This resolution shall take effect immediately.

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

RESOLUTION 14-255 AUTHORIZE TAX APPEAL SETTLEMENT-ARAMIS

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

WHEREAS, Aramis, Inc., the former tenant/taxpayer of property known as Block 3203, Lot 1, located at 5 Thornton Road, appealed the 2011, 2012 and 2013 real property tax assessments imposed by the Borough; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled Aramis, Inc. vs. the Borough of Oakland, wherein the 2011 assessment will be reduced from \$9,908,200 to \$9,250,000; the 2012 assessment will be reduced from \$9,908,200 to \$8,750,000; the 2013 assessment will be reduced from \$9,908,200 to \$8,750,000, and the 2014 assessment will be reduced from \$9,908,200 to \$8,750,000, resulting in a total refund, for all four years, of \$105,617;

AND BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund, as long as payments are made on or before March 15, 2015.

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

RESOLUTION 14-256 REFUND TAXES DUE TO JUDGMENT-BLOCK 901, LOT 4

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

WHEREAS, a Tax Court Judgment was entered on October 24, 2014, in the matter of Abdulla Mohamed & Zeinab v. Oakland Borough, Docket No. 016313-2013, reducing the assessment of Block 901, Lot 43, 5 Valley Forge Road to \$925,000.00 for the Tax Year 2013; and

WHEREAS, a refund of the 2013 property taxes is now due to Abdulla, Mohamed & Zeinab, c/o Michael Caccavelli, Esq., in the amount of \$1,555.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, do hereby authorize a check be issued to Abdulla, Mohamed & Zeinab, c/o Michael Caccavelli, Esq., in the amount of \$1,555.00.

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

RESOLUTION 14-257 AUTHORIZE 2013 LOSAP PAYMENT FOR FIRST AID SQUAD

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

WHEREAS, the Mayor and Council of the Borough of Oakland have authorized a Length of Service Award Program (LOSAP) for the Oakland Volunteer First Aid Squad and the Oakland Volunteer Fire Department; and

WHEREAS, the Oakland Volunteer First Aid Squad has certified 15 members eligible for a contribution based on their service during the year 2013; and

WHEREAS, the maximum contribution for the 2013 service year has been determined to be \$1,313.18;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, pending a mandatory 30 day review, the Chief Financial Officer is hereby authorized to pay Lincoln Financial, the LOSAP Trustee, up to the sum of \$ 19,697.70 as the Borough's contribution for the Oakland Volunteer First Aid Squad the Plan for the year 2013.

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

INTRODUCTION: ORDINANCE NO. 14-CODE-706 AMEND ORDINANCE FOR SNOW REMOVAL

The Clerk was directed to take from table Ordinance No. 14-Code-706 and read by title for its first reading.

The Clerk then read by title Ordinance No. 14-Code-706 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER XII, STREETS, SIDEWALKS, PUBLIC RIGHTS-OF-WAY AND SANITATION, SUBCHAPTER 12-5, ENTITLED "REMOVAL OF IMPEDIMENTS"

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

BE IT RESOLVED that an Ordinance entitled, " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER XII, STREETS, SIDEWALKS, PUBLIC RIGHTS-OF-WAY AND SANITATION, SUBCHAPTER 12-5, ENTITLED "REMOVAL OF IMPEDIMENTS", be introduced;

That said Ordinance be considered for final adoption at a meeting on November 25, 2014 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 15, 2014 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 Coira, Jensen, Kulmala, Talamini, Visconti.

WORK SESSION:

RESOLUTION ON PENSION CLARIFICATION

Mr. Kunze advised that recently the Governor asked for a report on the Pension system. Mr. Kunze advised that there is a vast difference between the State Pension system and the PERS and PFRS for municipal and county employees. The fiscal health of those systems is much better than the State system because municipalities have been fulfilling their obligations. We do not want to see the health of those funds jeopardized by whatever the State does. Councilman Visconti advised that the local pension funds are funded at 75% while the State pension fund is funded by 48%. He explained that in the late 90's, the Pension fund was doing well and the State decided not to have municipalities fund. In 2005, the municipalities got hit with a five-year phase in to make up for what had not been contributed. The municipalities have been paying ever since. He advised that it is important to recognize the separation of the funds and recognized that municipalities are doing their job and the State is not. A resolution will be listed on the next agenda.

ROOSEVELT AVENUE DUE DILIGENCE

Mr. Kunze advised that the Land Conservancy submitted proposals for due diligence for the acquisitions of Roosevelt Boulevard. Once he is finished reviewing the proposals, he will bring forth resolutions for approval.

DIRECT DEPOSIT ORDINANCE

Mayor Schwager advised that she spoke to several State legislators and they did not know why this legislation was passed. Borough Attorney Steven Mulstock advised that Attorney Chewcaskie suggested having an ordinance incorporating the direct deposit provisions and make it retroactive to January 1, 2014. That ordinance would make it permissive for employees to have direct deposit. An ordinance will be introduced at the next meeting.

NEW BUSINESS:

Councilman Kulmala advised that the Recreation lighting project and walking path project are ready to go. There is an opportunity for the Borough to run extra conduit while the ground is dug up. The idea is that down the road, conduit could be run in a loop to service the Recreation complex, Police Department, Senior Center, Valley Middle School, Borough Hall, DPW and Library buildings. This could be advantageous for phones, cable, and having wi-fi at the Recreation fields.

By putting the infrastructure in, the Communications Commission can do live broadcasts. He is asking for a Change Order to lay a track of 4 inch conduit. Mayor Schwager asked how disruptive this would be. Mr. Kunze advised that the trenching is already being done with the project so we are only talking about the cost of material. He explained that this is only one leg of the conduit that would be run. Councilman Visconti thought it was a fantastic idea and asked for

the cost. Mr. Kunze responded that the original concept was for 3,000 linear feet but that has been cut down to 2,200 linear feet. Borough Engineer Rebecca Mejia advised that the job for the lighting project has already been awarded. We are waiting for a price from the contractor to run 2,400 linear feet. She advised that the anticipated cost of the Change Order would be \$ 60,000 to \$70,000.

Councilman Visconti asked if there is money for the Change Order. Mr. Kunze advised that there is sufficient funding because the pricing for the project came in lower than anticipated. Councilman Jensen feels this is a great idea and would take Oakland into the future. Recreation Chairman Mike Guadagnino advised that it is one of the most forward thinking ideas for the Recreation fields. It is a great project. Mr. Kunze advised that Ms. Mejia is getting pricing from the contractor so hopefully there will be a Change Order resolution for the next meeting.

COUNCIL REPORTS:

Councilman Talamini: The Veteran's Day ceremony was held yesterday and the 8th graders from Valley Middle School, the Principal and Superintendent of Schools attended. They hope to continue attending this ceremony in the future. The school is looking to do more with community events and are talking about doing a program at the tree lighting ceremony.

Councilman Kulmala: The deadline for articles for the next Crossroads issue is November 24th. OEM will hold a meeting on November 18th to continue planning for the tabletop drill. The Planning Board will meet tomorrow. Regarding the issue of double wood, he advised that the poles are coming out. Long Hill is done as well as the one by the Police Department. Councilman Kulmala advised that Oakland has a well-manned Fire Department and the Junior Firefighter program has proven to be successful. OCC is looking for new members.

Councilman Visconti: The Flood Commission met last Monday. The river restoration project is moving forward. A meeting will be held on November 26th with Trout Unlimited. They are hoping to get everything in place to get the project done in 2015. There is a small window of time to make the project happen. The CRS program is moving forward. There is a meeting scheduled with FEMA on January 6th. They are talking about a committee to document the river restoration project. A meeting was held three weeks ago for the Library project. The Library had asked for some revisions in the plan. The Borough met with the Northwest Bergen County Utilities Authority. The mapping of the sewer service area was discussed.

Mayor Schwager advised there is a video link on the Flood Commission website. Councilman Visconti responded that it is a time lapse video of another river project. Mayor Schwager thanked Flood Commission Chairman Lew Levy for all his efforts.

Councilman Jensen: He advised that former Congresswoman Marge Roukema passed away today. The First Aid Squad will hold an open house for its 60th Anniversary on Saturday November 22nd. The Tree and Menorah Lighting Ceremony will be held on Sunday December 7th at 5 pm.

Councilwoman Coira: She advised that the Recreation website contains a lot of information about sports programs and registration information. The Recreation Commission meets the last Monday of each month at 8 pm at the Danny D'Elia building. Councilwoman Coira advised that fees from tree permits go into the Shade Tree Trust account. The money is then used to plant trees around the Borough. The Shade Tree Commission is looking to plant additional trees in the downtown area in the spring.

OPENED FOR PUBLIC DISCUSSION:

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

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

Aaron Cela, Land Conservancy, advised the Mayor and Council that the proposals for due diligence for Roosevelt Boulevard acquisitions are for Phase 1 of the project.

Mike Pritchard, 23 Calumet Ave, expressed concern that the condition of the State's pension fund would affect our bond rating. Mr. Kunze explained that there is a statewide pension fund for employees. Currently the funds are separate for State employees and municipal employees. The concern is that in the future, the State would enact legislation that would allow them to use funds from the municipal portion to balance the state portion.

Dave Richardson, 320 Ramapo Valley Road, asked if the Valley View property would be sold to the public because he knows a landscaper who might be interested in purchasing the property for storage for equipment. Mr. Kunze advised that the structure would be removed even if we decide to sell the property.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

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

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Jensen, seconded by Councilwoman Coira, 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:
White Collar and PBA contract negotiations
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, Jensen, Kulmala, Talamini, Visconti.

Discussion ensued over contract negotiations with the White Collar union and PBA.
No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Jensen, seconded by Councilman Visconti, the Executive Session be closed.

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

MOTION TO RE-CONVENE THE MEETING

On motion of Councilman Jensen, seconded by Councilman Visconti, the meeting be re-convened.

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

MEETING ADJOURNED:

On motion of Councilman Jensen, seconded by Councilman Visconti, the meeting be adjourned at 10:12 pm.

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

Lisa M. Duncan, Borough Clerk

Mayor Linda H. Schwager

November 25, 2014

Date Approved