

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

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Litigation; Negotiations-auditor, dispatch
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Mayor Schwager entered the meeting at 7:10 pm.

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:32 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Coira, Knapp, Kulmala, Talamini, Visconti. Absent: None. Also Present: 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.

MAYOR'S REPORT:

There will be a shredding event on March 25th. The Easter Egg hunt is April 9th. The Memorial Day Parade is May 28th. The Carnival will be held June 14 to 17th with the fireworks on June 17th. The Halloween Parade will be held October 28th. The Holiday Tree & Menorah Lighting will be held December 3rd. Mayor Schwager advised that the Public Events Committee members need to fill out Citizen Leadership Forms to be reappointed.

OPENED FOR PUBLIC DISCUSSION:

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

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

CLOSED FOR PUBLIC DISCUSSION:

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

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

ENVIRONMENTAL COMMISSION 2016 REPORT:

Nancy Krause, Chairman of the Environmental Commission, gave the annual report for 2016 for the Environmental Commission. The Environmental Commission was busy in 2016. Another phase of the Stewart Woods Park plan has begun. The framework of a kiosk was installed along Ramapo Valley Road. The Environmental Commission will create a pamphlet to be hung in the kiosk. The Environmental Commission submitted articles for Crossroads and participated in meetings of the Park Committee to discuss potential uses of Great Oak Park. The Environmental Commission had a booth at the town carnival. In September 2016, the Environmental Commission presented their report on the Pilgrim Pipeline to the Mayor and Council. The Environmental Commission had their own website but now they are part of the new Borough website. Members of the Environmental Commission attended the annual ANJEC meeting. The Environmental Commission joined with Franklin Lakes and Wyckoff to sponsor a series of environmental movies. The film festival is being held again this year. The Environmental

Commission sponsored “Team up to Clean Up” event to clean up Oakland’s parks. This year, another clean up event will be held. The Commission members are helping the Green Team with recertification for Sustainable Jersey. The Environmental Commission members composed a letter detailing environmental impacts of having a service center at the proposed Wawa site.

Mayor Schwager commented that the Mayor and Council appreciate everything the Environmental Commission does for the town.

APPROVE RAFFLE LICENSE RL1297

On motion of Councilman Biale, seconded by Councilman Talamini, approval be granted for Raffle License RL1297 for Valley Middle School PTO to hold an off-premise raffle on April 30, 2017, 11:00 am at the Lakeside Fitness Club, 100 Bauer Drive.

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

APPROVAL OF MINUTES: FEBRUARY 8, 2017

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of February 8, 2017 be approved.

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

APPROVAL OF MINUTES: FEBRUARY 22, 2017

On motion of Councilman Biale, seconded by Councilwoman Coira, the minutes from the Mayor and Council meeting of February 22, 2017 be approved.

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

APPROVAL OF MINUTES: FEBRUARY 8, 2017 EXECUTIVE

On motion of Councilman Biale, seconded by Councilwoman Coira, the minutes from the Mayor and Council Executive Session of February 8, 2017 be approved.

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

APPROVAL OF MINUTES: FEBRUARY 17, 2017 SPECIAL EXECUTIVE

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council special Executive Session of February 17, 2017 be approved.

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

RESOLUTION 17-79 APPOINT ADDITIONAL PUBLIC DEFENDER

Mayor Schwager advised that she had a discussion with the Judge and this Alternate Public Defender is just for one specific case.

Remove From Table:

On motion of Councilman Visconti, seconded by Councilman Kulmala, Resolution 17-79 be removed from the table.

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

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

WHEREAS, it is necessary to appoint a second Alternate Public Defender; and

WHEREAS, Judge Conte has recommended that Matthew G. Miller, Esq. be appointed to this position; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the applicant has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No. 12-Code-669 adopted July 11, 2012; and

WHEREAS, Mayor Schwager has nominated Matthew G. Miller, Esq. to serve as an additional Alternate Public Defender; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that Matthew G. Miller, Esq. be and is hereby appointed as an additional Alternate Public Defender; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 700 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #7-01-43-495-021; and

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

BE IT FURTHER RESOLVED that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

Councilman Visconti commented that there should be a policy that we appoint a third Public Defender when the appointments are made so this issue does not occur again in the future. Mr. Kunze responded that we can solicit for RFQ's when we are going to do the annual appointments and we could appoint with a nominal amount.

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

RESOLUTION 17-85 AUTHORIZE BOSWELL-CONSUMER CONFIDENCE REPORT
On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the U.S. Environmental Protection Agency (EPA) requires the Community Water Systems prepare and provide to their customers an annual Consumer Confidence Report; and

WHEREAS, in accordance with the regulations, the report must be issued before July 1st of each year; and

WHEREAS, Boswell McClave Engineers will prepare the Year 2017 Consumer Confidence Report in accordance with these regulatory requirements at a cost not to exceed \$ 2,500 as stated in their proposal; and

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

WHEREAS, Boswell McClave Engineers has complied with the Borough of Oakland's Pay-to-Play requirements as outlined in Ordinance 12-Code-669 adopted on July 11, 2012;

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Account # 7-05-55-502-028.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby accepts the proposal of Boswell McClave Engineers and authorizes the Borough Administrator to issue a Purchase Order in an amount not to exceed \$ 2,500 for the services specified in the proposal.

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

RESOLUTION 17-86 AUTHORIZE TAX APPEAL SETTLEMENT-128 BAUER DRIVE
On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, Bauer Drive Associates, LLC, the owner and/or taxpayer of property known as Block 3603, Lot 1, located at 128 Bauer Drive, has filed real property tax appeals for tax years 2010 through 2016; 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 Bauer Drive Associates, LLC vs. Oakland, whereby for tax years 2010, 2011, 2012, 2013 and 2014, the complaints will be withdrawn, and the assessment of \$2,955,500 for each year shall be affirmed; for tax years 2015 and 2016, the assessment will be reduced from \$2,955,500 to \$2,750,000; and for tax year 2017, the Freeze Act shall not apply, and the assessment will remain at \$2,955,500 resulting in a total refund of \$11,069;

AND BE IT FURTHER RESOLVED, that the above settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as refunds are made within 60 days of the entry of Judgment.

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

RESOLUTION 17-87 AUTHORIZE BOSWELL-2017 ROAD PROGRAM

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

WHEREAS, the Borough of Oakland wishes to proceed with the 2017 Road Program; and

WHEREAS, the Borough of Oakland is in need of engineering services for the design and construction inspection phases of the project; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated March 1, 2017, and the fee for the design and construction phases is not to exceed \$94,000; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-706-203 \$ 54,000 and Account #C-04-56-712-208 \$ 40,000; and

WHEREAS, Boswell McClave has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-669 adopted on July 11, 2012; and

WHEREAS, the award of the contract is for a professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize Boswell McClave to perform the design and construction inspection for the 2017 Road Program at a cost not to exceed \$ 94,000; and

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

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

RESOLUTION 17-88 AMEND SOCIAL MEDIA POLICY

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

WHEREAS, the Borough of Oakland wishes to proceed with the 2017 Road Program; and

WHEREAS, the Borough of Oakland is in need of engineering services for the design and construction inspection phases of the project; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated March 1, 2017, and the fee for the design and construction phases is not to exceed \$94,000; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-706-203 \$ 54,000 and Account #C-04-56-712-208 \$ 40,000; and

WHEREAS, Boswell McClave has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-669 adopted on July 11, 2012; and

WHEREAS, the award of the contract is for a professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize Boswell McClave to perform the design and construction inspection for the 2017 Road Program at a cost not to exceed \$ 94,000; and

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

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

RESOLUTION 17-89 AUTHORIZE AUCTION OF VEHICLES

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

WHEREAS, pursuant to the provisions of NJSA 40A:11-36, the Borough of Oakland may sell any personal property; and

WHEREAS, the Mayor and Council of the Borough of Oakland have determined that the property listed in this resolution is no longer needed for public use and wishes to divest said property,

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

1. The sale of the surplus property shall be conducted online using Municibid (www.municibid.com) pursuant to New Jersey Local Finance Notice 2008-9. Terms of the agreement are available on the vendor's website and available in the Borough Clerk's Office.
2. The surplus property to be sold is as follows:

| YEAR | MAKE / MODEL | VIN # | PLATE # | TAG # |
|------|-----------------------------|--------------------|---------|-------|
| 1989 | Ford F-800 Dump | 1FDYK84A6KVA57870 | MG64057 | 37 |
| 1990 | Chevy Suburban | 1GNGV6K24LF147726 | MG24TW | |
| 1991 | Dodge Mason Dump | 1B7KM26Z4LS753604 | MG70322 | |
| 1991 | Ford F-350 Wrecker | 1FDKF38M7MNA32223 | MG45907 | |
| 1992 | Dodge Van | 287H821X7NK136314 | MG44669 | 5 |
| 1994 | Ford F-800 Dump (with plow) | 1FDYK84E5RVA25098 | MG18799 | 38 |
| 1995 | Ford F-350 Dump | 1FDKF38G58SNA57287 | MG71228 | 117 |

| | | | | |
|------|---------------------|--------------------|---------|------|
| 1996 | Chevy Caprice | 1G1BL52P2TR140910 | RW7092 | |
| 1996 | Chevy Caprice | 1G1BL52P8TR140880 | MG25373 | |
| 1996 | Ford F-250 Pick-up | 1FTHF26H1TEA75677 | MG40660 | 17 |
| 1996 | Landrover Discovery | SALJ41243TA527427 | ELZ9028 | A002 |
| 1997 | Ford Crown Victoria | 2FALP71W4VX207512 | MG31756 | |
| 2001 | Ford Crown Victoria | 2FAFP71W31X101818 | PHS70H | |
| 2001 | Ford Expedition | 1FMPU16L31LB74716 | LSW27S | 1006 |
| 2002 | Ford Explorer | 1FMDY72E12YC74676 | MNL62Y | |
| 2003 | Ford Crown Victoria | 2FAFP71W93X216331 | MG56359 | |
| 2003 | Ford Explorer | 1FDMU72K73UB83077 | YNH36Y | 1091 |
| 2004 | Ford Explorer | 1FMDU72K34UC07098 | MG60533 | A006 |
| 2005 | Ford Crown Victoria | 2FAFP71WX5X112269 | MG63742 | 936 |
| 2006 | Ford Crown Victoria | 2FAFP71W36X113667 | MG80541 | |
| 2006 | Ford Crown Victoria | 2FAFP71W56X113668 | MG69583 | 1135 |
| 2007 | Ford Crown Victoria | 2FAFP71W47X127952 | MG73388 | 1117 |
| 2007 | Ford Crown Victoria | 2FAFP71W07X114339 | VFA68Y | |
| 2008 | Chevy Impala | 2G1WS553881344530 | MG81644 | 1048 |
| 2009 | Chevy Impala | 2G1WS57M5912833337 | MG84376 | 1098 |
| 2010 | Chevy Impala | 2G1WD5EM7A1228339 | ZUK21V | 1041 |

3. The surplus property as identified shall be sold in 'as is' condition without express or implied warranties
4. In accordance with NJSA 39:10-9.1, the certificates of ownership for former police vehicles shall state that the motor vehicles were used as police patrol vehicles and notice is provided that the buyer shall continue to so state on each subsequent sale or transfer
5. The successful bidder will be required to pay in cash or certified check made out to the Borough of Oakland at the time of pick up of the vehicle. The Borough will not deliver the vehicle to the successful bidder.
6. The vehicle is to be transferred and taken off the site within 10 business days after approval of the sale by the Governing Body.

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

RESOLUTION 17-90 REFUND ESCROW-VISIONS CREDIT UNION

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

WHEREAS, Visions Federal Credit Union has 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 \$1,541.50 remains in Escrow Account #T-11-00-005-094;

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 \$1,541.50 to Visions Federal Credit union, 3 Post Road, Oakland, NJ 07436.

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

RESOLUTION 17-91 AUTHORIZE BOSWELL-PATRIOTS WAY BRIDGE

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

WHEREAS, there is a need to perform an inspection of the Patriot's Way Bridge in order to determine all maintenance items and emergent repairs needed; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated March 6, 2017 for the services required in an amount not to exceed \$ 6,000.00; 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 for a professional service for which no public bidding is required; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-712-208;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize Boswell McClave Engineering to perform an inspection of the Patriot's Way Bridge as specified in the March 6, 2017 proposal for an amount not to exceed \$ 6,000.00; and

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

Councilman Kulmala asked how the inspection will be done. Borough Engineer Rebecca Mejia responded that an inspection will be done while the bridge is open. Weight restrictions should be determined according to the National Bridge Inspection Standards. Councilman Kulmala asked how the weight restriction is determined. Ms. Mejia responded it is formula based. Councilman Biale asked if the bridge has been inspected by the State or Federal Governments using NBIS standards. Ms. Mejia responded that this is a local bridge so the inspection falls to the municipality. Councilman Talamini asked how long the testing will take place. Ms. Mejia advised it is weather dependent and will be done over the course of a couple of days. . The report will be ready in approximately 3 to 5 weeks.

Councilman Biale commented that a bridge is supposed to last 75 years and this bridge is only 17 years old. The Borough has to do its due diligence. Councilman Kulmala asked what recourse the Borough has. Mr. Chewcaskie advised that there may be issues. He spoke of the Statute of repose for design professionals which exempts them from liability after 10 years. He explained that he is compiling information so that he can put everyone on notice. He explained that the

bridge was installed by the developer. It was taken over by the municipality in the early 2000's. We are now doing research to see who actually built the bridge. Councilman Biale commented that we may be past the Statute of repose but the bridge was supposed to last 75 years not 17. Mr. Chewcaskie advised that the Statute of repose is not a Statute of limitations. It was created to protect the design professionals.

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

RESOLUTION 17-92 APPOINT DEPUTY REGISTRAR

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

WHEREAS, in accordance with the provisions of N.J.S.A. 26:8-17, the Registrar of Vital Statistics has appointed Tamra Frey-Veltre as Deputy Registrar;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm the appointment of Tamra Frey-Veltre as Deputy Registrar of Vital Statistics; and

BE IT FURTHER RESOLVED that Ms. Frey-Veltre be compensated at an annual stipend of \$2,050 effective March 9, 2017.

Mayor Schwager advised that Ms. Frey-Veltre works in her law office. She explained that the Borough has been without a Deputy Registrar and has received a letter from the State saying we are not in compliance. None of the Borough employees wished to fill the position and Ms. Frey-Veltre was interested. Councilman Visconti questioned if this position should be opened up to the public. Mr. Chewcaskie explained that according to the Statute, the appointment of Deputy Registrar is made by the Registrar. The Governing Body is just confirming the amount of compensation. Mr. Kunze explained that they tried to solicit candidates in-house. Then we sought shared service agreements with three separate towns. Nothing was successful. Then we got a letter from the State about not being in compliance. Councilman Visconti asked if Ms. Frey-Veltre is trained. Mayor Schwager responded she will be trained after we confirm the appointment.

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

RESOLUTION 17-93 APPOINT SPECIAL SEWER COUNSEL

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

WHEREAS, the Borough of Oakland is interested in pursuing discussion with the Northwest Bergen County Utilities Authority for sewer service; and

WHEREAS, it is necessary to seek special counsel to represent the Borough of Oakland in this matter; and

WHEREAS, the Borough has received a proposal from John Napolitano and the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC at a cost not to exceed \$10,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #7-01-20-155-028; and

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

WHEREAS, Cleary, Giacobbe, Alfieri and Jacobs, LLC has complied with the Borough's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to John Napolitano of Cleary, Giacobbe, Alfieri and Jacobs, LLC in an amount not to exceed \$10,000.00; and

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

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

RESOLUTION 17-94 AUTHORIZE REFUND REDEMPTION MONIES LIEN #16-00066
On motion of Councilman Biale, seconded by Councilman Visconti, 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 16-00066, Block 4601, Lot 40, better known as 474 Ramapo Valley Road on February 17, 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 \$2,113.85, payable to Christiana Trust as Custodian, GSRAN-Z Deposit Account, P.O. Box 71276, Philadelphia, PA 19176;

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$2,113.85 to the aforementioned lien holder.

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

RESOLUTION 17-95 AUTHORIZE REFUND REDEMPTION MONIES LIEN #16-00083
On motion of Councilman Biale, seconded by Councilman Visconti, 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 16-00083, Block 5003, Lot 1, better known as 11 Colgate Road on February 27, 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 \$217.50, payable to US Bank Cust/PC4 1st Trust Bank, Tax Lien Services Group, 50 South 16th Street, Suite 2050, Philadelphia, PA;

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$217.50 to the aforementioned lien holder.

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

RESOLUTION 17-96 AUTHORIZE REFUND REDEMPTION MONIES LIEN#16-00019
On motion of Councilman Biale, seconded by Councilman Visconti, 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 16-00019, Block 1703, Lot 7, better known as 10 Silver Birch Ave. on March 1, 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 \$ 7,308.05, payable to Christiana Trust as Custodian, GSRAN-Z Deposit Account, PO Box 71276, Philadelphia, PA 19176;

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$ 7,308.05 to the aforementioned lien holder.

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

RESOLUTION 17-97 APPOINT PER DIEM DISPATCHERS
On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Police Chief has requested the appointment of Per Diem Dispatchers and has completed all necessary background investigations and deemed the candidates to be qualified;

BE IT RESOLVED, that the Mayor and Council hereby appoints Matthew Napoli and Stephanie Tarabokija as Per Diem Dispatchers at a salary of \$16.24 per hour effective March 9, 2017.

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

INTRODUCTION: ORDINANCE NO. 17-BOND-752

The Clerk was directed to take from table Ordinance No. 17-Bond-752 and read by title for its first reading.

The Clerk then read by title Ordinance No. 17-Bond-752 entitled: " CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS TO THE SENIOR CENTER, BY AND FOR THE BOROUGH OF OAKLAND, APPROPRIATING THEREFOR THE SUM OF \$20,000.00 AND PROVIDING THAT SUCH SUM IN THE AMOUNT OF \$20,000 SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL SURPLUS FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH."

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

BE IT RESOLVED that an Ordinance entitled, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Authorizing The Making Of Various Public Improvements To The Senior Center, By And For The Borough Of Oakland, Appropriating Therefor The Sum Of \$20,000.00 And Providing That Such Sum In The Amount Of \$20,000 So Appropriated Shall Be Raised From The Capital Surplus Fund Of The General Capital Fund Of The Borough, be introduced;

That said Ordinance be considered for final adoption at a meeting on March 22, 2017 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 March 13, 2017 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, Knapp, Kulmala, Talamini, Visconti.

INTRODUCTION: ORDINANCE NO. 17-CODE-753

The Clerk was directed to take from table Ordinance No. 17-Code-753 and read by title for its first reading.

The Clerk then read by title Ordinance No. 17-Code-753 entitled: "AN ORDINANCE AMENDING CHAPTER II OF THE CODE OF THE BOROUGH OF OAKLAND, ENTITLED "ADMINISTRATION", SPECIFICALLY, AMENDING SECTION 2-3.5A ENTITLED "CHIEF FINANCIAL OFFICER"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending Chapter II Of The Code Of The Borough Of Oakland, Entitled "Administration", Specifically, Amending Section 2-3.5a Entitled "Chief Financial Officer", be introduced;

That said Ordinance be considered for final adoption at a meeting on March 22, 2017 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 March 13, 2017 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, Knapp, Kulmala, Talamini, Visconti.

WORK SESSION:

OVERVIEW OF BUDGET:

Mr. Kunze advised that the budget will be introduced on March 22nd. The public hearing and budget adoption will be scheduled for April 26th. If an amendment is required that would result in a public hearing, that will be scheduled for May 10th along with adoption of the amendment and final adoption of the budget. The total projected funding for budget introduction is \$ 18,749,795. Operating budgets including the Library are up 2.4%. This is mostly driven by the projected increase in the Solid Waste budget. The current fund salary and wage budgets are projected to increase 1.94%. Appropriations are compliant with the appropriation cap. Mr. Kunze explained that there is no increase in State Aid once again. The anticipated surplus is being reduced by \$ 215,000. The reduction is offset by reductions in appropriations including \$ 200,000 for capital and \$ 5,000 for the Library. The total local non-tax revenue collections were strong last year and we are recommending modest increases in various revenue lines totaling \$ 25,385. The projected total tax levy to support Borough and Library operations would be \$ 14,811,104 which is an increase of 1.84%. This increase is compliant with the tax levy cap. Councilman Visconti commented that this budget for introduction is continuing to fund the road program and the fire truck. However, the bridge issue upsets the apple cart and what we may be able to do this year.

NEW BUSINESS:

Mayor Schwager spoke about the new bail reform. If a defendant is indigent, they can apply for a public defender. Initially, this is done by the County Public Defender. However, if there is a detention hearing, that is going to fall on the municipal public defender and the Borough will have to pay for that. Councilman Visconti asked if the County paid for this previously. Mayor Schwager responded that this is a new mandate. Councilman Visconti commented that this is a State mandate and our taxpayers are going to have to pay. Mr. Kunze advised that our public defender requested the standard per session rate per appearance. He has to look at the budget and see if there is flexibility in the existing contract or if we have to add money to her contract.

COUNCIL REPORTS:

Councilman Knapp: No report.

Councilwoman Coira: The Planning Board will meet tomorrow at 7 pm.

Councilman Visconti: On April 22nd, there will be a townwide Park clean up. Information will be listed on the Borough website. Next Monday, the Flood Commission will meet at 7:30 pm. He spoke about programs offered by the Library. There will be a construction kick off meeting tomorrow at 2 pm.

Councilman Biale: Senior Center Director Rose Burik received a thank you from Congressman Gottheimer for hosting his talk a few weeks ago. The Senior Center will have bingo on March 16th at 1 pm. The book club will meet on March 17th at 11 am. The Valley Hospital Auxiliary will speak at the Senior Center on March 9th. The County Executive will visit the Senior Center on April 21st at 11 am.

Councilman Kulmala: He attended the Recreation Commission meeting. The Communications Commission will meet next week. Volunteers are needed for the TV Committee. The OEM held a meeting last week. The OEM is involved in the town clean up, is looking to clear up trees in the river and will have a command station at the carnival. The new sirens are working.

Councilman Talamini: The Public Events Committee members need to fill out Citizen Leadership forms for reappointment. The Easter Egg Hunt will be held April 9th.

OPENED FOR PUBLIC DISCUSSION:

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

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

Michael Pritchard, 23 Calumet Avenue, asked if the Court mandate is funded and spoke about the Council on Unfunded Mandates. Mr. Chewcaskie responded that the Counties appealed to the Council on Unfunded Mandates and it was rejected. Mr. Pritchard commented that the County and State should pick up the costs.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID

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

(see following pages)

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

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

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Negotiations-Dispatch
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

RECONVENE REGULAR MEETING:

On motion of Councilman Biale, seconded by Councilman Talamini, the regular meeting be reconvened at 9:14 pm.

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

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Talamini, the meeting be adjourned at 9:15 pm.

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

Lisa M. Duncan, Borough Clerk
March 22, 2017

Mayor Linda H. Schwager

Date Approved