

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY FEBRUARY 27, 2019

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Knapp, seconded by Councilman Levy, 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; Sandy Beach; Affordable Housing; Potential Litigation; Network Security
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

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 Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Nylema Nabbie, 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:

Mayor Schwager thanked the DPW for taking good care of our roads during the storms. Mayor Schwager received correspondence from a woman who was visiting family in Oakland. There was a medical emergency and they had to call 911. She commented how professional the responders were. Mayor Schwager thanked the Fire Department, Police Department and First Aid Squad for all that they do for the residents. Mayor Schwager met Monday with Girl Scouts who are getting ready for their Silver Award projects. She welcomes meeting with scouts from our community. Assemblywoman Holly Shepisi will have a representative at the Library on March 6 from 10 to 2 pm to meet with residents. FLOW Follies will be held next week on March 7, 8, 9 and 10th. The money raised by FLOW Follies goes for scholarships for high school seniors. Mayor Schwager advised that she was handed a petition from the Historical Society saying that they want to be stewards of the Van Allen House and the Stream House. The Mayor and Councilman Biale would like to meet with the Historical Society to discuss this matter and they want to see the Historical Society's bylaws. Councilman Biale advised that the agreement with Historical Society has expired.

OPENED FOR PUBLIC DISCUSSION:

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

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

Drew Feust, 101 East Oak Street I-2, voiced concern about the trees being cut down by the wastewater treatment plant. He hopes there can be a different solution. Mr. Kunze advised that the Borough met with representatives from the condo association to discuss why the trees must come down. Councilman Biale explained that the needles from the pine trees are interfering with the operation of the treatment plant. Mr. Feust commented that there are 40 to 50 trees at the site. If all the trees are removed, it would greatly impact the value of the properties. Mr. Kunze responded that the President of the Board expressed the same concerns but they understood why we have to remove the trees. Mayor Schwager commented that another meeting will be set up to discuss the matter.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: FEBRUARY 13, 2019

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of February 13, 2019 be approved.

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

APPROVAL OF MINUTES: FEBRUARY 13, 2019 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Knapp, the minutes from the Mayor and Council Executive Session of February 13, 2019 be approved.

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

APPOINTMENT TO OAKLAND VOLUNTEER FIRE DEPARTMENT:

On motion of Councilman Knapp, seconded by Councilman Levy, the appointment of Andrew Palkewick to the Oakland Volunteer Fire Department be approved.

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

PRESENTATION ON PUBLIC ART IN OAKLAND:

Peter Marcalus, 125 Mandigo Ave, spoke about how public art is on the rise throughout the nation. He explained that public art is the key to a community. He feels that Oakland needs to have public art to inspire people, attract businesses, and create community vitality. Mr. Marcalus unveiled an idea for a sculpture piece for Veterans Park. The sculpture is called "Swords to Plowshares" and it calls for peace. He explained that the figures would be cut out of steel and would be mounted on a base that would allow for seating and plantings around the sculpture.

Councilman Levy questioned how susceptible this sculpture would be to vandalism. Mr. Marcalus responded that the fabricators feel it will be sturdy. He explained that if steel were used, it would cost more money and be susceptible to rust. Councilman Pignatelli commented that lighting would help prevent vandalism. He asked if there any grants available for this project. Mr. Marcalus asked if it would be considered a capital project. Mayor Schwager asked if there are any grants available from the State Arts Council. Mr. Marcalus did not think there were. Councilman Biale suggested maybe fundraising for the project. He can check with the Bergen County Division of Historic and Cultural Affairs to see if there is money available. Councilman Levy will reach out to our grant writer to see if there are grants available. Mr. Kunze advised that Sustainable Jersey may have money available for projects of social sustainability.

Mayor Schwager advised that everyone is excited about this idea. Councilman Kulmala asked if Mr. Marcalus considered asking art students from Ramapo College or William Paterson to help. Mr. Marcalus commented that it would be great to create an Oakland Arts Council consisting of five to nine members who would make recommendations for public locations for art. He thought

Stewart's Woods would make a good sculpture park. He suggested Great Oak Park as well as long as there are lights and security. He suggested creating a piece of art such as a three-dimensional Oak leaf that businesses can sponsor and which will be placed around town.

APPROVE RAFFLE LICENSE RL1349:

On motion of Councilman Biale, seconded by Councilman Levy, Raffle License RL1349 for Ramapo Youth Soccer Association to hold a calendar raffle for various dates in May, June and July, 2019.

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

APPROVE BINGO LICENSE BL1350:

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted for Bingo License BL1350 for Manito School PTO, Inc. to hold a pocketbook bingo on May 3, 2019 at the American Legion, 65 Oak Street.

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

APPROVE RAFFLE LICENSE RL1351:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1351 for Manito School PTO, Inc. to hold an on-premise 50/50 raffle on May 3, 2019 at the American Legion, 65 Oak Street.

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

APPOINTMENT TO SHADE TREE COMMISSION:

Mayor Schwager appointed Peter Kikot to an unexpired term on the Shade Tree Commission. The term will expire on December 31, 2022.

APPOINTMENTS TO GREEN TEAM:

Mayor Schwager appointed Marisol Kozlovski and Dylan Warner to one-year terms on the Green Team. The terms will expire December 31, 2019.

RESOLUTION 19-36 NON-UNION SALARIES

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

BE IT RESOLVED that the following non-union salaries are effective January 1, 2019:

BOROUGH OF OAKLAND NON-UNION SALARIES			
NAME	POSITION	2018 SALARY	2019 SALARY
Baron, Dawn	Court Administrator	66,939	68,689
Bauberger, Roy	OEM Coordinator	8,614	8,829
Bauberger, Roy	Flood Control Commissioner	3,584	3,674
Buonocore, Thomas	Municipal Judge	23,575	26,000
Carrelli, Michael	Assistant to the Administrator	45,000	46,000
Cellini, Robert	Building Inspector	24,121	24,724
Davis, Christine	Confidential Secretary - Police Dept.	51,162	52,912
Duncan, Lisa	Borough Clerk	73,549	79,065
Duncan, Jason	Safety Coordinator		3,000
Hagberg, Daniel	Building Subcode Official	5,742	5,886
Hagberg, Daniel	Construction Official	52,830	54,151
Hagberg, Daniel	Fire Official	11,596	11,886
Holzhauser, Scott	Tax Assessor	52,399	53,709
Gurney, Kathlyn	Confidential Assistant - Adm.	58,133	59,883
Gurney, Kathlyn	Deputy Borough Clerk	5,492	5,629
Gurney, Kathlyn	Planning and Zoning Board Secretary	320.35	328.36
Gurney, Kathlyn	Municipal Housing Liaison	1,500	1,500
Greco, Susan	Program Aide - Seniors	17.00	17.98
Kunze, Richard	Borough Administrator	166,235	170,390
Leszczynski, Lidia	Tax Collector	15,683	16,075
Marcucilli, Anthony	Superintendent of Public Works	117,238	120,169
McMahon, John	Bus Driver - Seniors	20.48	21.46
McMahon, Michael	Assistant Superintendent of Public Works	100,836	103,357
Pellegrini, Vincent	Plumbing Subcode Official		20,000
Porino, Ralph	Fire Inspector	23,686	24,278
Porino, Ralph	Fire Subcode Official	5,826	5,972
Preciado, Arielle	Senior Citizens Director	55,000	56,750
Sanzari, Keith	OIC	6,400	6,560
Walthour, Christopher	Electrical Subcode Official	18,036	18,487
Young, David	Treasurer / CFO	80,000	82,000
Various	Crossing Guards - Step 1	17.29	17.72
	Crossing Guards - Step 2	19.25	19.73
Various	Per Diem Dispatchers - Step 1	20.00	20.50
	Per Diem Dispatcher - Step 2	25.00	25.63
Various	Secretary - Boards / Commissions	1,200	1,200
Firefighters	Fire Chief	3,875	3,875
	Assistant Chiefs	3,125	3,125
	Captains	2,313	2,313
	Lieutenants	1,563	1,563
	Secretary - Boards / Commissions	1,550	1,550
	Fire Mechanic	1,156	1,156

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

RESOLUTION 19-89 2017 AUDIT CERTIFICATION:

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

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Oakland, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

RESOLUTION 19-90 2017 AUDIT CORRECTIVE ACTION PLAN

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

WHEREAS, the Borough of Oakland is in receipt of the Report of Audit for the period ending December 31, 2017; and

WHEREAS, the Mayor and Council of the Borough of Oakland formally accepted said audit document On February 27, 2019; and

WHEREAS, it is necessary to develop and obtain Mayor and Council approval of an Audit Corrective Action Plan; and

WHEREAS, said plan must be approved and filed within sixty days of formal notice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the required Audit Corrective Action Plan, having been prepared and submitted by the Chief Financial Officer, is hereby approved and further that said plan document be placed on file and made available for public inspection in the Office of the Borough Clerk.

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

RESOLUTION 19-91 AUTHORIZE BOSWELL-ENGINEERING FOR ROLLER HOCKEY RINK

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

WHEREAS, the Borough of Oakland desires to construct a new roller hockey rink; and

WHEREAS, there is a need for engineering services to prepare construction plans and specifications for the Roller Hockey Rink Improvements project; and

WHEREAS, Boswell Engineering has submitted a proposal dated February 5, 2019 for the work required in an amount not to exceed \$ 27,750.00; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # c-04-55-002-004;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the engineering services for the Roller Hockey Rink Improvements project at a cost to exceed \$ 27,750.00 as specified in their proposal; and

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

Councilman Levy commented that he feels the price is a high amount. Borough Engineer John Yakimik advised that he revised the proposal to include bid services. That was not previously included.

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

RESOLUTION 19-92 AUTHORIZE TAX APPEAL SETTLEMENT-67 OVERLOOK RIDGE

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

WHEREAS, Thomas Piano and Svetlana Piano, the owners and/or taxpayers of property known as Block 801, Lot 1, located at 67 Overlook Ridge, have filed a real property tax appeal for tax year 2018; 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 Borough;

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 appeal entitled Piano vs. Oakland, whereby for tax year 2018, the assessment of \$1,039,600 will be reduced to \$950,000, resulting in a refund of \$2,538.36; and be it further

RESOLVED that this settlement is made with the understanding that the Assessor will reduce the 2019 assessment to a total of \$900,000; and be it further

RESOLVED that the refund will be made without any interest to the taxpayer, as long as payment is made within 60 days of receipt of the Judgment.

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

RESOLUTION 19-93 AUTHORIZE TAX APPEAL SETTLEMENT-6 POINT VIEW

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

WHEREAS, Robert and Maria Tagliareni, the owners and/or taxpayers of property known as Block 803, Lot 9, located at 6 Point View, have filed a real property tax appeal for tax year 2018; 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 Borough;

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 appeal entitled Tagliareni vs. Oakland, whereby for tax year 2018, the assessment of \$1,080,300 will be reduced to \$1,000,000, resulting in a refund of \$2,274.90; and be it further

RESOLVED that this settlement is made with the understanding that the Assessor will set the 2019 assessment at a total of \$950,000; and be it further

RESOLVED that the refund will be made without any interest to the taxpayer, as long as payment is made within 60 days of receipt of the Judgment.

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

RESOLUTION 19-94 AMENDMENT TO DEVELOPER'S AGREEMENT-BILL SMITH, JR.
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Planning Board of the Borough of Oakland adopted a resolution approving a development by Bill Smith, Jr. for property located at Block 3311, Lot 2.02; and

WHEREAS, the resolution was conditioned upon the developer entering into a Developer's Agreement with the Borough of Oakland, which was completed on June 12, 2013; and

WHEREAS, such Developer's Agreement has been executed by Bill Smith, Jr., which has been reviewed and approved by the Borough Attorney; and

WHEREAS, the Developer submitted an application with the Oakland Planning Board to amend the subdivision approval to allow for the further subdivision of the original 5-lot subdivision to create a sixth lot, which application was approved by the Planning Board and memorialized by resolution dated November 10, 2016; and

WHEREAS, this amendment to the original approval necessitates an amendment to the Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Mayor and Borough Clerk are hereby authorized to execute the Amendment to Developer's Agreement with Bill Smith, Jr.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is authorized and directed to maintain a copy of this Resolution in office of the Borough Clerk, for public inspection, pursuant to law.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Oakland Building Department; Ben R. Cascio, attorney for Developer; and Brian M. Chewcaskie, Borough Attorney.

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

RESOLUTION 19-95 AWARD VEHICLE AUCTION BIDS
On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 previously authorized the sale of surplus vehicles via online public auction; and

WHEREAS, said auction took place and the Governing Body now wishes to approve the winning bids.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the winning bids and amounts thereof are hereby approved for the following:

Vehicle	Winning Bidder	Winning Bid
2003 Mitsubishi FG-40	Brooke Shoffner	\$ 5,411
1999 BMW	Eric Knyt	\$ 1,650
1997 Ford F-250	Hyder binJameel	\$ 281
2001 Ford F-250	Lazaro Triana	\$ 1,650

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

RESOLUTION 19-96 AUTHORIZE AGREEMENT-PUBLIC DEFENDER

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

WHEREAS, the Mayor and Council had appointed Jennifer Blum as Public Defender for 2019 and she resigned the position; and

WHEREAS, it is necessary for the Borough of Oakland to engage the services of Public Defender for 2019; and

WHEREAS, funds will be available by way of budget to compensate said Public Defender; 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 Borough did undertake a competitive process to select a Public Defender and solicited Requests for Qualifications in November 2018; and

WHEREAS, the applicants 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, the Borough's Review Team has determined that Dianne D'Alessandro will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Dianne D'Alessandro to serve as the Borough's Public Defender for the year 2019; 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 the Borough of Oakland that said Public Defender be and is hereby appointed for the year 2019; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 6,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #9-01-43-495-021; 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.

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

RESOLUTION 19-97 AWARD BID-DEMOLITION OF PROPERTIES-ROOSEVELT BLVD. PHASE 1

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

WHEREAS, 11 bids were received on February 5, 2019 for the Demolition of Properties at Roosevelt Blvd.-Phase 1; and

WHEREAS, IBN Construction Corp., 49 Hermon Street, Newark, NJ 07105, submitted the lowest responsive and responsible bid with a total bid price of \$ 85,606.00 and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed the bids and recommend the bid award to IBN Construction; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-705-200 \$ 65,448 and Account # C-04-56-712-211 \$ 20,158 ;

NOW, THEREFORE, BE IT RESOLVED, that the bid of IBN Construction Corp. in the total amount of \$ 85,606.00 be accepted; and

BE IT FURTHER RESOLVED that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

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

RESOLUTION 19-98 AWARD WOLF BID-FIREFIGHTER EQUIPMENT

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

WHEREAS, the Borough of Oakland seeks to achieve cost avoidances and obtain discount pricing; and,

WHEREAS, the Township of Wyckoff, as the lead agency for the WOLF Cooperative Pricing System has requested Franklin Lakes and Oakland join in a procurement to aggregate fire equipment which each municipality intends to purchase in 2019 via advertised competitive sealed bidding to achieve discount pricing; and,

WHEREAS, the Township of Wyckoff is the Lead Agency for Cooperative Pricing System Number 176-WCGCPS-Wolf Group; and,

WHEREAS, this advertised competitive sealed bid procurement combines the purchasing volume for the WOLF Group and as such this procurement establishes unit prices for system members (Franklin Lakes, Oakland and Wyckoff) to utilize in 2019; and,

WHEREAS, a legal notice soliciting sealed competitive bids was published in the 2/1/19 issue of the Ridgewood News establishing a bid opening date which exceeds the state mandated notice period by four (4) days; it was , posted on the Township of Wyckoff's web site at "Bids and Jobs" easily accessed from the home page, and specifications were provided free of charge to encourage competition; and,

WHEREAS, sealed bids were publicly opened and their contents read aloud on 2/14/19 at 11:00 a.m. and the vendors names and individual unit bid prices are listed on the summary of bid prices spreadsheet attached, as if set forth at length; and,

WHEREAS, the following is a list of vendors which provided the lowest responsive and responsible bids for individual unit bid prices on the unit items listed as recommended for an award by the Fire Chief:

	<u>VENDOR</u>	<u>UNIT ITEMS AWARDED</u>
1.	First Choice Safety Equipment, LLC 1262 Concord Drive Brick, NJ 08724	18,70, 71, 72, 73, 75, 85,88, 89, 92, 93, 102
2.	Continental Fire & Safety, Inc. 2740 Kuser Road Hamilton, NJ 08691	29, 30, 34, 40, 76, 109
3.	Mid-Atlantic Rescue Systems 11 Byte Court, Suite A Frederick, MD 21702	48, 49, 50, 51, 68, 111
4.	MES Fire 66 Firemens Way Poughkeepsie, NY 12603	1, 8, 13, 19, 21, 22, 23, 27, 28, 38, 47, 69, 78, 82, 83, 95, 96, 97 98, 105, 106, 107, 108
5.	Firefighter One, LLC 34 Wilson Drive Sparta, NJ 07871	25, 26, 36, 37, 54, 55, 56, 57, 58 59, 60, 61, 62, 63, 64, 65, 66, 79
6.	Witmer Public Safety Group, Inc. 104 Independence Way	3, 5, 74, 80, 81, 86, 87, 99, 100 101

Coatsville, PA 19320

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| 7. | AAA Emergency Supply Co.
635 North Broadway
White Plains, NY 10603 | 6, 41, 41a, 42, 42a, 43, 44, 45, 46
67, 77, 103, 104, 110 |
| 8. | NJ Fire Equipment
119-131 Route 22 East
Greenbrook, NJ 08812 | 16, 24, 39, 52, 53, 91 |
| 9. | State Line Fire & Safety
50 Park Avenue
Park Ridge, NJ 07656 | 2, 4, 7, 9, 10, 11, 12, 14, 15, 16,
20,31, 32, 35, 84, 90, 94, 98, 112 |

WHEREAS, as per N.J.A.C. 5:30-5-5(b)2, the Chief Financial Officer has certified the availability of funds appropriated in the 2019 annual budget under the Fire Department-Other Expenses budget.

WHEREAS, items 1A through I of Section 1 of the bid specification are referenced and applicable to this award authorization for the Township of Wyckoff as lead agency and the Borough of Franklin Lakes and the Borough of Oakland as participating members of this Cooperative Pricing System Procurement who shall be issuing their own purchase orders.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Oakland that they do hereby award nine (9) contracts to the vendors for the individual bid unit items that they bid the lowest responsive and responsible individual bid unit prices in accordance with the Fire Chief's recommendation attached as if set forth at length; and,

BE IT FURTHER RESOLVED, that the Fire Chief shall purchase the estimated fire equipment items at the awarded unit prices only and only those items required for the 2019 program. The Fire Chief shall meet periodically throughout the year with the Fire Chiefs of Franklin Lakes and Wyckoff to order common items, separately but at the same time for purchasing efficiencies, and to explore standardization of equipment to capture additional savings in future procurements; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk shall mail a certified copy of this resolution to the Franklin Lakes and Wyckoff Administrators for their use in performing their separate governing body authorizations and ordering based on the cooperative pricing system procurement.

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

RESOLUTION 19-99 CHANGE ORDER #2 SR. CTR. FIRE SUPPRESSION SYSTEM
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a contract was awarded to La Rocca Inc. in the amount of \$ 354,000 for the Fire Suppression System project at the Senior Citizens Center; and

WHEREAS, the following Change Order 2 has been requested:

Upgrade Ceiling Tiles \$ 9,375

WHEREAS, the Change Order has been reviewed and recommended by the architect for the project, Daniel Dressel; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-763-509;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize Change Order 1 for an increase of \$ 9,375 for a new total contract amount of \$ 382,084.95 including all Change orders.

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

RESOLUTION 19-100 HIRE PER-DIEM DISPATCHERS

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

WHEREAS, the Police Captain has requested the appointment of two 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 the following at a Step 1 salary of \$ 20.50 per hour effective February 28, 2019:

Matthew Ranone
68 Windbeam Loop
Ringwood, NJ 07456

BE IT FURTHER RESOLVED that the Mayor and Council hereby appoints the following at a Step 2 salary of \$ 25.63 per hour effective February 28, 2019:

Thomas Pianettini
515 Connie Avenue
Franklin Lakes, NJ 07417

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

INTRODUCTION: ORDINANCE NO. 19-CODE-780

The Clerk was directed to take from table Ordinance No. 19-CODE-780 and read by title for its first reading.

The Clerk then read by title Ordinance No. 19-Code-780 entitled: " AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1, 15, AND 16 OF ORDINANCE NO-18-CODE-766 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Amending And Reenacting Paragraphs 1, 15, And 16 Of Ordinance No-18-Code-766 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", be introduced;

That said Ordinance be considered for final adoption at a meeting on March 13, 2019 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 4, 2019 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

WORK SESSION:

PROPOSED POWER PLANT:

Mr. Kunze explained that the Mayor and Council were sent materials from a group opposing the proposed power plant. They had asked the Mayor and Council to consider passing a resolution opposing the power plant. Councilman Levy commented that all the material was presented by people with a specific agenda. The Governing Body needs to hear from someone objective on this issue. Mayor Schwager commented that there are specific pros and cons to the issue. She advised that the Bergen County League of Municipalities passed a resolution opposing the power plant. There are some towns that have passed a resolution and others have not. Councilman Pignatelli asked why this power plant is not being built in New York if the power is going to be used to supply New York. Mayor Schwager commented that the Governing Body is not ready to vote on this issue. Councilman Talamini does not see why the Governing Body needs to weigh in on the issue at all. Some people agree and some disagree but it is not going to affect what is going to be done. Councilman Kulmala commented that this is a different situation than the pipeline because the pipeline affected us directly. He feels there is not enough information to support passing a resolution.

DONATION OF VEHICLE TO OAKLAND FIRST AID SQUAD:

Mr. Kunze advised that the Oakland First Aid Squad has requested the donation of a 2012 Chevy Tahoe to replace an older Crown Victoria. The Tahoe is being rotated out of the Police Department fleet as part of the routine vehicle replacement program. A resolution will be listed on the March 13th agenda.

COUNCIL REPORTS:

Councilman Knapp: There is no report for Great Oak Park. The Fire Department had 24 calls last month for 212 hours and 3 drills. The Police Department had 390 Motor vehicle stops, 89 school checks, 36 motor vehicle crashes, 18 traffic details and 17 radar details as well as 24 fire calls for the month of January. Officers attended immigration training and received certificates.

Councilman Levy: The Shade Tree Commission will meet Monday March 4th and the Flood Commission will meet Monday March 11th. The Shade Tree Commission welcomes new member Peter Kikot.

Councilman Pignatelli: He was not able to attend the Green Team meeting due to a conflict. The Environmental Commission will meet next Tuesday.

Councilman Talamini: The Public Events Committee will hold the Easter Egg Hunt on Saturday April 13th at 9:30 am. There will be a train ride and many activities. The raindate will be Sunday April 14th. The Public Events Committee needs new members. They are a great organization. There were lockdown drills at Valley Middle School and Dogwood School today. They were set up by the State Department of Education. The State was impressed by the way we ran the drills. Councilman Talamini thanked the DPW for doing a good job tarping the Van Allen House.

Councilman Kulmala: The Recreation Commission met last night. Softball and baseball signups are ongoing. There have been online signups for baseball. That will be rolled out for all sports. The OCC needs members. FLOW Follies will take place March 7, 8, 9 and 10. Please come and support FLOW Follies.

Councilman Biale: Senior programs are ongoing at the Library. There will be a movie on March 7th at 12 pm. Bingo will take place on March 21st at 12 pm. There will be a presentation on March 21st on dizziness. The Senior Club will hold their meetings at the Knights of Columbus on the 2nd and 4th Thursdays. The spring trip will take place on April 4th and registration is now open. Tax prep assistance is being offered by Bergen County. Seniors must call the Senior Center in Midland Park to schedule their appointments. The DPW will continue to repair potholes when the weather permits. They have filled 467 potholes since January 2nd. There were 1273 Christmas trees collected in the month of January. On January 26th, the EJIF conducted an inspection and the DPW received a score of 100%. Kudos to Superintendent Anthony Marcucilli and his staff. Mr. Kunze, Councilman Knapp, Councilman Biale and Engineer John Yakimik did a walk through of the Van Allen House to assess the mold issue. A report has been given to a remediation company. The DPW did a great job tarping the building. Regarding the Patriots Way Bridge, a meeting will be held on March 1st with the County Engineering department to discuss the possibility of the County taking over maintenance of the bridge. We are putting funds together to fix the bridge. Councilman Biale read a statement admonishing Councilman Kulmala for the way he brought forth the information on the Van Allen House mold situation. Since Councilman Biale is the historical liaison, Councilman Kulmala should have referred the matter to Councilman Biale.

Councilman Kulmala commented that the issue was brought forth to the Governing Body back in October. Councilman Biale advised that the issue was addressed at the time. Councilman Kulmala thanked Councilman Biale for addressing the immediate issue of the water leak. Mayor Schwager commented that there is a problem with the Historical Society claiming stewardship of the property but they are not doing what they are supposed to. She asked for a response from the Historical Society since the agreement has expired. Mr. Kunze advised that the Van Allen House has been closed to the public and the Historical Society until the mold issue is addressed.

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

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

(see following pages)

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

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

Mayor Schwager advised that there will be a budget meeting on Saturday March 23rd at 8:00 am.

MEETING ADJOURNED:

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

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk

March 13, 2019

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager