

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY MARCH 14, 2018

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Acquisition of Sandy Beach property; Tax Appeals; Affordable Housing Litigation; Personnel; Contract-Ramapo River Project
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.

Mayor Schwager entered at 7:06.

Discussion ensued over various tax appeals, the acquisition of the Sandy Beach property, and Affordable Housing litigation.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:33 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; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

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MAYOR'S REPORT:

Mayor Schwager advised that the Mayors in Bergen County are talking to the Governor and demanding a meeting with P.S.E. & G. and Rockland Electric to discuss their storm response. Mayor Schwager has been told a lot of people are not getting the Borough's reverse 911 messages. She advised residents to go the Borough's website and register for Swift911. She advised residents to register their cell phones in case the landlines are out. Mayor Schwager advised that on March 1<sup>st</sup>, a meeting was held regarding security in the schools. More meetings will be held. Mayor Schwager attended the Japanese School graduation on March 12<sup>th</sup>. She is looking forward to meeting the new principal. Mayor Schwager congratulated Councilman Kulmala for participating in FLOW Follies. It is a worthwhile organization that raises scholarship money for Ramapo and Indian Hills students. On April 5<sup>th</sup>, AARP will hold a smart driver class at the Senior Center. Mayor Schwager advised there is a prescription drop box at the Police Station. From April 15 to 29<sup>th</sup>, the Senior Center will hold their art exhibit at the Library.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by Councilman Knapp, 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 Pignatelli, seconded by Councilman Biale, 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 14, 2018

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of February 14, 2018 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 28, 2018**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of February 28, 2018 be approved.

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

**APPROVAL OF MINUTES: JANUARY 10, 2018 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council Executive Session of January 10, 2018 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 14, 2018 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of February 14, 2018 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 20, 2018 SPECIAL EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Special Executive Session of February 20, 2018 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 28, 2018 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of February 28, 2018 be approved.

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

**APPOINTMENTS:**

**LIBRARY BOARD:**

Mayor Schwager reappointed Geri Petersen to a five-year term on the Library Board. The term will expire on December 31, 2022.

**ENVIRONMENTAL COMMISSION:**

Mayor Schwager brought forth the nomination of Carol Peterson for appointment to an unexpired term as Alternate 1 on the Environmental Commission.

**Motion to Consent:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Carol Peterson to an unexpired term as Alternate 1 on the Environmental Commission to expire on December 31, 2018.

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

**PROCLAMATION: NATIONAL POISON PREVENTION WEEK**

On motion of Councilman Pignatelli, seconded by Councilman Biale, the following proclamation be adopted:

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

WHEREAS, every poisoning is preventable! From the youngest to the oldest, all people and even pets are at risk; and

WHEREAS, poison centers across the country will focus the public's attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and

WHEREAS, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey; and

WHEREAS, drug overdose deaths including prescription pain medicine (opioids), heroin and fentanyl remain at epidemic proportions for both New Jersey and the United States. According to the Centers for Disease Control and Prevention (CDC), the majority of drug overdose deaths (more than six out of ten) involve an opioid; and

WHEREAS, although the majority of reported poison exposures involve children five (5) years old and younger; the majority of poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, childhood lead poisoning remains a major public health concern. Elevated blood lead levels can cause significant and permanent damage to the health and wellbeing of a young child. There is no safe level of lead. Stop a child's exposure to lead before it causes harm; and

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and

WHEREAS, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and

WHEREAS, the public can contact a poison expert by calling (1-800-222-1222), chatting ([www.njpies.org](http://www.njpies.org)), or texting ([8002221222@njpies.org](mailto:8002221222@njpies.org)); and

WHEREAS, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors, aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and

WHEREAS, poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

WHEREAS, we encourage all residents to program the Poison Help Line 800-222-1222 into home, office, and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; and

WHEREAS, the use of poison centers services saves residents both time and money. Most cases are managed in the convenience of the caller's home, requiring no hospital visit; and

WHEREAS, NJPIES is also involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings);

NOW, THEREFORE, I, Linda H. Schwager, Mayor of the Borough of Oakland, do hereby proclaim the week of March 18-24, 2018 as

“National Poison Prevention Week”

In Oakland and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

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

#### PUBLIC HEARING ON GRANT APPLICATION:

Nancy Krause, Chairman of the Environmental Commission, advised that the Sandy Beach property is at the foot of Spruce Street. The Borough submitted an application to Bergen County Open Space for funds to purchase the property. Ms. Krause advised that the Sandy Beach property is mentioned in the Open Space Plan. She spoke about the goal to build an interconnected Greenway to add to Great Oak Park which is adjacent to this property. She spoke about the Borough's Recreation programs and the potential use of the property for additional fields. She explained that protecting this area would protect from flooding as well. The addition of the Sandy Beach property would make 55 acres preserved in the Greenway.

The original application submitted was for \$ 2.8 million which was the asking price for the property. The appraisal done by the Borough came back at \$ 1.8 million. The application request was revised to \$1.4 million. She explained that the owner of the property would accept less but doesn't know how much less. She explained that the Borough can request Green Acres funding as well but that would require another appraisal. Ms. Krause advised that the County seemed receptive to the acquisition of the property.

Councilman Pignatelli explained that they want to link a walking trail from the Recreation field to Great Oak Park. The acquisition of this property would help with that goal. He asked if the Borough can ask the County for \$ 1.8 million. Mr. Kunze explained that the County grant would max at the appraisal price and the County will not fund 100% of the project. Councilman Pignatelli asked if the Borough can ask for more than \$1.4 million. Mr. Kunze responded we can but not \$ 1.8 million.

Councilman Biale commented that everyone is in favor of purchasing the property. He feels we can negotiate and get the owner's price down. Mr. Kunze explained that the Land Conservancy will help us negotiate a purchase price. Councilman Pignatelli asked who would make the offer to the property owner. Mr. Kunze advised that the Borough would make the offer once we hear

back regarding the grant application. Councilman Biale advised that we need to get approval from the County and have the gap funding in place.

#### OPENED TO THE PUBLIC

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

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

Erich Kamm, 9 Greene Way and member of the Environmental Commission, advised he is a member of the Bergen County Trust Fund and has recused himself from this application. The presentation that was made to the Bergen County Trust Fund by Ms. Krause was great. The County was very receptive. He explained that the seller is an environmentalist and wanted the property preserved. That is how the application for funding came about. The appraisal does not take into account other uses for the property. Mayor Schwager asked if the offer to purchase the property was real. Mr. Kamm responded that a letter of intent was provided to the County. Mr. Kamm explained that when the new flood maps are adopted, it would increase the value of the property. Councilman Levy advised that the changes to the flood maps are still at least two years away. There are still channel encroachments and setbacks. Councilman Biale commented that the value of the property can be subjective when we know how much the property owner paid for the property 20 years ago. Councilman Kulmala advised that he supports the project. It makes sense to acquire the property to build off of Great Oak Park and we could use the extra fields.

#### CLOSED TO THE PUBLIC:

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

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

Councilman Levy asked when the appraisal was done. Mr. Kunze responded it was done in the fall. Councilman Levy asked if we have gotten any comps to justify the asking price of \$ 2.8 million. Mr. Chewcaskie responded it is the appraiser's job to get the comps. Councilman Talamini questioned if it is possible the County would give us less if we amend our funding request to \$ 1.6 million. Mr. Kunze responded it is at the County's discretion to give a lower amount than the request. He doesn't think there is a downside to asking for additional money. Councilman Kulmala asked if it would jeopardize the application if we ask for additional money. Mr. Chewcaskie explained that the government works based on the appraisal price for grant funding. The offer that the seller received has a six month land use contingency.

Motion to amend the amount request:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the funding request to the County for the Sandy Beach property be amended to \$ 1.6 million.

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

#### RESOLUTION 18-150 AUTHORIZE GRANT APPLICATION

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

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Bergen County Trust Fund”), provides grants to municipal governments and to nonprofit organizations for assistance in the acquisition of lands for open space conservation purposes and/or outdoor recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a grant of \$ 1.6 million from the Bergen County Trust Fund to fund the acquisition of property at Block 2302, Lot 1, 68 Spruce Street, Oakland, NJ; and

WHEREAS, the Governing Body has reviewed the Bergen County Trust Fund Program Statement, the County Program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body held the required public hearing on March 14, 2018 to receive comments prior to the submission of said application; and

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

WHEREAS, the applicant is willing to use the Bergen 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

WHEREAS, if the applicant is successful in acquiring said project through the use of a County Trust Fund grant, then the applicant will permanently preserve said project for open space conservation and/or outdoor recreation purposes through a recorded deed of easement.

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 this year’s deadline established by the County; and
2. That, in the event of a Bergen County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and
3. That the applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations, in its performance of the project; and
4. That this resolution shall take effect immediately.

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

**RESOLUTION 18-151 AUTHORIZE RECYCLING TONNAGE GRANT APPLICATION**  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2017 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Oakland hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Eugene MacMahon to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

#### RESOLUTION 18-152 CERTIFICATION OF EXPENDITURE FOR RECYCLING TAX

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

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$ 3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality



except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Oakland that the Borough of Oakland hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2017 in the amount of \$13,805.67. Documentation supporting this submission is available at 1 Municipal Plaza and shall be maintained for no less than five years from this date.

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

#### RESOLUTION 18-153 OPPOSITION TO BILL S-5

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

WHEREAS, Senate Bill #5 has been introduced which proposes to disproportionately shift control of the Police and Fire Retirement System (PFRS) from a balanced labor-management control to a union dominated (7-5) decision making structure; and

WHEREAS, PFRS is not a 401K, rather it is a defined benefit program; and

WHEREAS, PFRS is funded entirely by property taxpayer dollars, municipal and county governments will spend an estimated \$913.0 million in 2018 to subsidize the Police and Fireman's Retirement System (PFRS), while PFRS members will contribute approximately \$334.0 million to the defined benefit plan. In other words, property taxpayers will finance over 73.0% of PFRS in 2018, while PFRS members will pay 27.0%; and

WHEREAS, S-5 in its current form, will allow public safety union members and retirees to enhance their own benefits while forcing their public employers and New Jersey taxpayers to assume a disproportionate amount of the risk; and

WHEREAS, S-5 gives the labor-management board, at its discretion, and at such time and manner as it determines, the ability to:

- Enhance any benefit set forth in NJSA 43:16A-1 et seq; and
- Modify any such benefit as an alternative to an increase in the member contribution rate; and
- Reinstate, when appropriate, such reduced benefit to the statutory level without an additional contribution by the member.

WHEREAS, S-5 is a tax generative bill which will impact New Jersey taxpayers; and

WHEREAS, S-5 does not provide or include a funding source thereby making it another state imposed mandate which requires New Jersey taxpayers to pick up the tab;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that we express our opposition to S-5 in its current form and communicate these concerns to the Governor and the Legislature.

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

**RESOLUTION 18-154 AUTHORIZE REFUND REDEMPTION MONIES-LIEN 17-00003**

On motion of Councilman Knapp, seconded by Councilman Biale, 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 17-00003, Block 402, Lot 43, better known as 64 Skyline Drive on March 1, 2018;

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 \$ 341.25 payable to US Bank Cust for PC7 First Trust, PC7, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102.

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

**RESOLUTION 18-155 AUTHORIZE REFUND REDEMPTION MONIES-LIEN 17-00016**

On motion of Councilman Knapp, seconded by Councilman Biale, 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 17-00016, Block 2004, Lot 7, better known as 18 Riverside Drive on February 28, 2018;

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 \$ 2,123.77 payable to US Bank Cust for BV002 Trst & Crdtr, BV002 Trust, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102.

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

**RESOLUTION 18-156 AUTHORIZE REFUND REDEMPTION MONIES-LIEN 16-00024**

On motion of Councilman Knapp, seconded by Councilman Biale, 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 16-00024, Block 2004, Lot 6, better known as Riverside Drive on February 28, 2018;

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 \$ 543.79 payable to Borough of Oakland, 1 Municipal Plaza, Oakland, NJ 07436.

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

**RESOLUTION 18-157 AUTHORIZE REFUND REDEMPTION MONIES-LIEN 17-00026**

On motion of Councilman Knapp, seconded by Councilman Pignatelli, 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 17-00026, Block 2518, Lot 9, better known as 105 Lakeview Terrace on February 27, 2018;

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 \$ 2,079.96 payable to Tower DB VII Trust 2017-1, 50 South 16<sup>th</sup> Street, Suite 20150, Philadelphia, PA 19102.

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

**RESOLUTION 18-158 AUTHORIZE REFUND DUPLICATE TAX PAYMENT-44 SKYTOP**

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

WHEREAS, the Borough of Oakland has received a request for a refund of taxes due to a duplicate payment for Regina Thomas, 44 Skytop Ridge, Oakland, NJ; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund in the amount of \$ 4,394.98 to Wells Fargo Real Estate Tax Services, 1 Home Campus, Des Moines, IA 50328-0001.

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

**RESOLUTION 18-159 AUTHORIZE REFUND ESCROW MONIES-J. McCARTHY**

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

WHEREAS, James McCarthy has requested that any Professional Review Escrow funds be returned for his applications to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the following amounts remain in the Escrow Accounts:

T-26-00-004-217 (36 Rutgers Drive) \$ 37.50

T-26-00-004-264 (8 Sienna Way) \$ 37.50

T-26-00-004-282 (10 Harvard Way) \$ 37.50

T-26-00-004-339 (8 Columbia Way) \$ 110.50

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 total amount of \$223.00 to James McCarthy, 12 Sienna Way, Oakland, NJ, 07436

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

**RESOLUTION 18-160 AUTHORIZE SHARED SERVICE AGREEMENT WITH BERGEN COUNTY FOR COUNTY-OWNED EQUIPMENT**

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

WHEREAS, the Borough of Oakland is desirous of utilizing the County Owned Emergency and Non-Emergency Equipment; and

WHEREAS, the Borough of Oakland will enter into a Shared Services Agreement with the County of Bergen in connection with the sharing of the County Owned Emergency and Non-Emergency Equipment; and

WHEREAS, this agreement benefits the Municipality and its citizens by allowing the Borough a needed service at a most effective cost;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that the Mayor be and is hereby authorized and directed to execute the Shared Services Agreement regarding the sharing of County Owned Emergency and Non-Emergency Equipment which agreement is annexed hereto and made a part hereof.

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

**RESOLUTION 18-161 AUTHORIZE COPIER LEASE**

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

WHEREAS, the Borough of Oakland wishes to lease eight (8) copiers for various Borough buildings; and

WHEREAS, TGI Office Automation, 775 Passaic Avenue, West Caldwell, NJ 07006, has State Contract #G2075 for the copiers desired; and

WHEREAS, the lease cost for the eight (8) copiers will be \$ 802 per month for 48 months and the per copy cost will be \$ .0049 for black & white copies and \$ .049 for color copies; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #8-01-20-106-103 from appropriation in the 2018 temporary budget and future budgets, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the copier lease from TGI Office Automation and the Borough Administrator is authorized to execute the agreements on behalf of the Borough.

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

**RESOLUTION 18-162 AUTHORIZE SIGNATORIES POLICE PETTY CASH ACCOUNT**  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

BE IT RESOLVED that Captain Keith Sanzari and Lt. Christian Eldridge are signatories on the Police Department Petty Cash Account.

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

**RESOLUTION 18-163 RATIFY BLUE COLLAR AGREEMENT**  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the United Public Service Employees Union - Blue Collar Unit, (hereinafter "the Union") are the local union representative for all Blue Collar employees of the Borough of Oakland excluding confidential, managerial, supervisory, seasonal or police employees within the meaning of the Public Employment Relations Act; and

WHEREAS, the Union and the Borough of Oakland have been negotiating the terms to a new collective bargaining agreement; and

WHEREAS, the parties' have negotiated and agreed upon the terms to a new collective bargaining agreement; and

WHEREAS, the Borough of is desirous of executing the new collective bargaining agreement for the term of January 1, 2017 through December 31, 2019.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Clerk are authorized to execute the Collective Bargaining Agreement between the Borough of Oakland and the United Public Service Employees' Union for the period of January 1, 2017 through December 31, 2019.

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

**RESOLUTION 18-164 RATIFY WHITE COLLAR AGREEMENT**  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the United Public Service Employees Union - White Collar Unit, (hereinafter "the Union") are the local union representative for all white collar employees of the Borough of Oakland excluding confidential, managerial, supervisory, seasonal or police employees within the meaning of the Public Employment Relations Act; and

WHEREAS, the Union and the Borough of Oakland have been negotiating the terms to a new collective bargaining agreement; and

WHEREAS, the parties' have negotiated and agreed upon the terms to a new collective bargaining agreement; and

WHEREAS, the Borough of is desirous of executing the new collective bargaining agreement for the term of January 1, 2017 through December 31, 2019.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Clerk are authorized to execute the Collective Bargaining Agreement between the Borough of Oakland and the United Public Service Employees' Union for the period of January 1, 2017 through December 31, 2019.

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

#### RESOLUTION 18-165 AUTHORIZE NON-UNION SALARIES

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

BE IT RESOLVED the following non-union salaries are effective January 1, 2017:

<u>Name</u>	<u>Position</u>	<u>2017 Salary</u>	<u>2018 Salary</u>
Dawn Baron	Court Administrator	\$ 65,189	\$ 66,939
Roy Bauberger	OEM Coordinator	\$ 8,404	\$ 8,614
Roy Bauberger	Flood Control Commissioner	\$ 3,497	\$ 3,584
Thomas Buonocore	Municipal Judge	\$ 23,000	\$ 23,575
Rose Burik	Senior Center Director	\$ 39,110	\$ 40,860
Robert Cellini	Building Inspector	\$ 23,533	\$ 24,121
Christine Davis	Confidential Secretary-Police Dept.	\$ 49,412	\$ 51,162
Lisa Duncan	Borough Clerk	\$ 68,417	\$ 73,549
Daniel Hagberg	Building Subcode Official	\$ 5,602	\$ 5,742
Daniel Hagberg	Construction Official	\$ 51,542	\$ 52,830
Daniel Hagberg	Fire Official	\$ 11,313	\$ 11,596
Scott Holzhauer	Tax Assessor	\$ 51,121	\$ 52,399
Kathlyn Gurney	Confidential Asst.-Admin.	\$ 56,383	\$ 58,133
Kathlyn Gurney	Deputy Borough Clerk	\$ 5,358	\$ 5,492
Kathlyn Gurney	Planning and Zoning Board Secy	\$312.54/mtg.	\$320.35/mtg.
Kathlyn Gurney	Municipal Housing Liaison	\$ 1,500	\$ 1,500
Edward Kasper	Police Chief	\$ 152,419	\$152,419
Richard Kunze	Borough Administrator	\$162,180	\$166,235
Lidia Leszczynski	Tax Collector	\$ 15,300	\$ 15,683
Anthony Marcucilli	Superintendent Of Public Works	\$ 114,379	\$117,238
John McMahon	Bus Driver-Seniors	\$ 19.50/hr	\$ 20.48/hr
Michael McMahon	Asst. Supt. Of Public Works	\$ 98,376	\$100,836
Donna Mollineaux	Treasurer/CFO	\$ 119,925	
Ralph Porrino	Fire Inspector	\$ 23,108	\$ 23,686
Ralph Porrino	Fire Subcode Official	\$ 5,684	\$ 5,826

Anne Russo	Program Aide-Seniors	\$ 16.30/hr	\$ 17.28/hr
Steven Sanzari	Treasurer/CFO		\$ 70.00/hr
Sandra Steele	Program Aide-Seniors	\$ 18.98/hr	\$ 19.96/hr
Christopher Walthour	Electric Subcode Official	\$ 17,596	\$ 18,036
Tom Zaconie	Plumbing Subcode Official	\$ 24,604	\$ 25,219
Various	Crossing Guards-Step 1	\$ 16.87/hr	\$ 17.29/hr
	Crossing Guards-Step 2	\$ 18.78/hr	\$ 19.25/hr
Various	Per Diem Dispatcher- Step 1	\$ 16.24/hr	\$ 20.00/hr
	Per Diem Dispatcher-Step 2	\$	\$ 25.00/hr
Various	Secretary-Boards/Commissions	\$ 1,200	\$ 1,200
Firefighters	Fire Chief	\$ 3,100	\$ 3,100
	Assistant Chiefs	\$ 2,500	\$ 2,500
	Captains	\$ 1,850	\$ 1,850
	Lieutenants	\$ 1,250	\$ 1,250
	Secretary	\$ 1,550	\$ 1,550
	Fire Mechanic	\$ 950	\$ 950

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

#### RESOLUTION 18-166 TEMPORARY BUDGET AMENDMENT

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

WHEREAS, an emergency condition has arisen with respect to the need to make payments for operating expenses prior to the adoption of the budget, and no adequate provision has been made in the 2018 temporary budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, 26.25% of the total appropriations in the 2017 Current Fund budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance is \$4,433,445.06; and

WHEREAS, the total emergency appropriation adopted in the year pursuant to N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 amended) including this resolution total \$4,884,550.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

#### **Current Fund**

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Administration	\$ 13,000	\$ 1,000
General Services		\$ 5,000
Mayor and Council	\$ 4,000	\$ 5,000

Municipal Clerk	\$ 5,000	
Info & Technology		\$ 7,000
Tax Collector	\$ 9,000	
Tax Assessment	\$ 5,000	\$ 5,000
Legal		\$ 15,000
Engineering		\$ 5,000
Planning Board	\$ 2,000	
Zoning Board	\$ 2,000	\$ 1,000
Uniform Const. Code	\$15,000	\$ 1,000
Police	\$200,000	
Emergency Telephone Sytem		\$ 4,000
OEM	\$ 1,000	\$ 3,000
Flood Control	\$ 500	
Fire Department		\$ 5,000
Streets & Roads	\$110,000	\$ 7,000
Shade Tree		\$ 5,000
Garbage & Trash	\$ 5,000	\$150,000
Vehicle Maintenance	\$ 5,000	\$ 10,000
Health	\$ 4,000	
Environmental Commission	\$ 200	\$ 200
Recreation		\$ 20,000
Senior Citizens	\$ 4,000	\$ 6,000
Library	\$ 25,000	\$ 30,000
Electricity		\$ 10,000
Natural Gas		\$ 8,000
Social Security		\$ 70,000
DCRP		\$ 2,000
Court	\$ 5,000	\$ 2,000
Public Defender		\$ 2,000
Total Current Fund	\$ 431,700	\$ 384,200

**Water Utility Operating Fund**

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Water Operations	\$ 20,000	\$ 15,000
Social Security		\$ 5,000

**Sewer Utility Operating Fund**

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Sewer Operations	\$ 10,000	\$ 10,000
Utilities		\$ 8,000
Social Security		\$ 1,000

2. That said emergency appropriation will be provided for in full in the 2018 operating budget.
3. That three (3) certified copies of this resolution be filed with the Director of the Division of Local Government Services.



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

#### RESOLUTION 18-167 TRANSFERS TO BUDGET RESERVES

On motion of Councilman Knapp, seconded by Councilman Biale, 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 2017 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Fiscal 2017 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such reserve funds during the first three (3) 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 2017 budget:

<u>Current Fund</u>	<u>From</u>	<u>To</u>
Financial Admin – S/W	\$2,000	
Mayor & Council-O.E.	\$ 500	
Streets & Roads-O.E.	\$9,000	
Stormwater-O.E.	\$ 500	
Vehicle Maintenance-O.E.	\$1,500	
Sub-total	\$13,500	
General Services-S&W		\$ 1,000
Mayor & Council-S&W		\$ 500
Tax Collector-S &W		\$ 1,000
Streets & Roads-S&W		\$ 9,000
Stormwater-S&W		\$ 500
Vehicle Maintenance-S &W		\$ 1,500
Sub-total		\$13,500

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

#### RESOLUTION 18-168 APPOINT CFO-STEVE SANZARI

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

WHEREAS, James Mangin resigned as CFO and the Borough Administrator was made temporary CFO effective February 28, 2018 pursuant to N.J.S.A. 40A:9-140.13(f); and

WHEREAS, the Borough requires the services of a licensed CMFO on a part-time , temporary basis while a job search for a permanent CFO is undertaken; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires every municipality to have a Chief Financial Officer; and

WHEREAS, Steve Sanzari has agreed to serve as part-time Temporary CFO at a rate of \$ 70 per hour;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that Steve Sanzari is hereby appointed as part-time Temporary CFO.

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

#### RESOLUTION 18-169 AUTHORIZE ACCRUED TIME PAYOUT

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

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Douglas Eldridge for sick, vacation, personal and compensatory time accumulated in the amount of \$ 182,004.56; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 182,004.56 composed of 264 hours of vacation time, 1,552 hours of sick time, and 24 hours of personal time and 480 compensatory time be paid out to Douglas Eldridge. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

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

#### RESOLUTION 18-170 PURCHASE LIBRARY FURNITURE-NICKERSON

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

WHEREAS, there is a need to purchase furniture for the Oakland Public Library; and

WHEREAS, Nickerson Corporation, 515 Union Avenue, Union Beach, NJ 07735 has submitted Proposal #B02071802 for the items desired in the amount \$ 58,799.36; and

WHEREAS, Nickerson Corporation, has Middlesex County Purchasing Cooperative Contract #ESCNJ 17/18-16 for the items desired; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-55-904-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize the purchase of furniture from Nickerson Corporation in the amount of \$ 58,799.36.

Mayor Schwager advised that years ago, the Library Growth Foundation had raised money for furniture for the Library. She asked where that money is. Mr. Kunze advised that was used for other pieces of furniture. Mayor Schwager explained that people actually bought pieces of furniture to have their name put on it. Councilman Kulmala will look into this.

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

**RESOLUTION 18-171 PURCHASE LIBRARY FURNITURE-LIBRARY INTERIORS (ESCNJ CONTRACT)**

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

WHEREAS, there is a need to purchase furniture for the Oakland Public Library; and

WHEREAS, Library Interiors Inc., 35 Beaverson Blvd, Suite 2C, Brick, NJ 08723, has submitted Proposal #B020718O1 for the items desired in the amount \$ 56,020.40; and

WHEREAS, Library Interiors Inc. has Middlesex County Purchasing Cooperative Contract #ESCNJ 17/18-16 for the items desired; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-55-904-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize the purchase of furniture from Library Interiors Inc. in the amount of \$ 56,020.40.

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

**RESOLUTION 18-172 PURCHASE LIBRARY FURNITURE-LIBRARY INTERIORS (STATE CONTRACT)**

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

WHEREAS, there is a need to purchase furniture for the Oakland Public Library; and

WHEREAS, Library Interiors, Inc., 35 Beaverson Blvd, Brick, NJ 08723 has submitted Proposal #B020718O4 for the items desired in the amount \$ 7,525.60;

WHEREAS, Library Interiors, Inc., has State Contract #G-2004 for the items desired; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-55-904-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize the purchase of furniture from Library Interiors, Inc. in the amount of \$ 7,525.60.

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

RESOLUTION 18-173 AUTHORIZE REFUND TAX OVERPAYMENT-BL 4301, L34  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request from the property owner for a refund of taxes due to an overpayment; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
4301/34	Gregory McHugh & Beth Rudolph	\$6,175.74

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

RESOLUTION 18-174 AUTHORIZE REFUND TAX OVERPAYMENT-BL 1606, L7  
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request from the property owner for a refund of taxes due to an overpayment; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
1606/7	Randy & Kathleen Neumann	\$2,292.72

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

FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-766

The Clerk was directed to take from the table Ordinance No.17-Code-766 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE REVISING, ND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-17-CODE-763 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by 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.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Nd Reenacting Paragraphs 1 Through 16 Of Ordinance No-17-Code-763 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

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

INTRODUCTION: ORDINANCE NO. 18-CODE-767 PROHIBITION SALE OF MARIJUANA

The Clerk was directed to take from table Ordinance No. 18-Code-767 and read by title for its first reading.

The Clerk then read by title Ordinance No.18-Code-767 entitled: " AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER 59, ARTICLE VII, SECTION 59-45, ENTITLED "REGULATIONS APPLICABLE TO ALL ZONES" BY ADDING SECTION "J".

On motion of Councilman Pignatelli, 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 The Revised General Ordinances Of The Borough Of Oakland Chapter

59, Article VII, Section 59-45, Entitled "Regulations Applicable To All Zones" By Adding Section "J"., be introduced;

That said Ordinance be considered for final adoption at a meeting on April 25, 2018 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 19, 2018 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.

#### NEW BUSINESS:

Mayor Schwager spoke about the article in The Record regarding school elections. She sent an email to the Superintendent of Schools asking the Board of Education to meet with the Council publicly to discuss the school board election. She asked Councilman Talamini to go back to the Board of Education and ask for dates for a meeting.

#### COUNCIL REPORTS:

Councilman Knapp: He gave a report on the past two storms. The first storm took place March 2<sup>nd</sup>. The high winds caused downed trees and there were 1200 power outages. Most of the power was restored by the weekend. The Senior Center was used as a warming center and charging center. The second snow storm on March 8<sup>th</sup> and 26 inches of wet, heavy snow came down. Trees came down and Orange and Rockland customers in Bergen County lost power. Once the main line was repaired, power came back spotty. There were trees down and wires down and response was complicated when power was lost throughout town. Valley Middle School was used as a shelter and triage center by the First Aid Squad. The DPW plowed ahead of the First Aid and Fire Department for calls. He thanked the DPW for their efforts. The response from Orange and Rockland was lacking. It took two days but 30 trucks finally came in from Colorado. Trees were down and poles were down on Route 202 in front of the diner. He urged residents to stay away from downed wires because you never know when they are live. OEM Coordinator Roy Bauberger did a preliminary damage assessment and sent it to the State in case they declare a disaster. There will be a debriefing meeting held in the near future. He thanked the Police, Fire, First Aid, DPW, OEM, Board of Ed members, Council people and Roy Bauberger for all they did during the storm. He asked residents to shovel fire hydrants. The Fire Department responded to 28 calls during the storm. He reminded residents to register for SwiftReach reverse 911 on the Borough's website. This will allow for notifications from the Borough. Mayor Schwager advised that a resident emailed her about an extra pick up for vegetative waste. The first pick up will be in two weeks. It is not feasible at this time to schedule pick ups before that time. Councilman Knapp toured Great Oak Park. He gave kudos to Vanderbeck Tree Service for donating time to clear the great lawn. This will be a great asset to the Borough. He advised that the trail name signs are being ripped down.

Councilman Levy: He thanked OEM Coordinator Roy Bauberger for all his hard work. The Borough is lucky to have him. The DPW, Fire and Police Departments did an incredible job during the storm. The Flood Commission did not meet. Roy Bauberger will go through the river and catalog trees that are down. Councilman Levy spoke to the Shade Tree Commission Chairman. They are going to propose a shade tree deficit ordinance. There will be a fee to

remove a hazard tree and there will need to be a replacement tree planted. They will list the acceptable replacement trees. Mayor Schwager thanked Chairman Ed Clark.

Councilman Pignatelli: The Environmental Commission met March 6<sup>th</sup>. They will place two signs at Potash Lake. They spoke of having a student member. On April 21<sup>st</sup>, there will be a cleanup at Great Oak Park. He spoke about a proposed law to outlaw beekeepers. He hopes the Council will oppose that proposed legislation. He advised that residents can bring batteries to the DPW for recycling. He advised that the Environmental Commission is trying to get wood chips for Stewarts Woods. The Finance Committee met. The budget will be introduced on March 28<sup>th</sup>.

Councilman Biale: He suggested that the Environmental Commission should contact a tree service for wood chips. The Seniors thank the DPW. The DPW and Emergency Services all deserve thanks for their efforts during the storm. The Seniors held their St. Patrick's luncheon last Saturday. There will be an AARP driver course on April 5<sup>th</sup> at the Senior Center from 11 to 4. He spoke about bundling branches 4 feet long but no branches over 4 inches will be taken. The DPW will be picking up trees that are in the right of way. Councilman Biale advised that the operator of our sewer treatment plants is retiring. We are working on getting a replacement operator.

Councilman Kulmala: The OCC met last night. There is a new energy with the Commission and they will start working on the newsletter again. There are two openings for the alternate positions. There was a Library meeting today. He gave the status of the construction project. The Library will have a program on Screen time on April 18<sup>th</sup>. The First Responders did a wonderful job with the storm. He thanked residents for their patience. Councilman Kulmala had fun participating in FLOW Follies.

Councilman Talamini: The Public Events Committee will hold the Easter Egg Hunt on March 24<sup>th</sup> at 9:30 am. The raindate is March 25<sup>th</sup> at 1 pm. He urged participants to bring a basket to collect eggs. There will be refreshments provided and pictures with the Easter Bunny. The Public Events Committee is looking for members. There was a meeting held about security in the schools. Security is the main priority of the school district. It was a positive meeting and they are trying to improve school security every day. There will be another meeting.

#### OPENED FOR PUBLIC DISCUSSION:

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

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

No comments.

#### CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Pignatelli, seconded by Councilman Biale, 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 Pignatelli, 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.

**MOVE TO EXECUTIVE SESSION:**

On motion of Councilman Biale, 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; Contract-Ramapo River Project
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.

Discussion ensued over various personnel matters and the contract for the Ramapo River project. No action taken.

**CLOSE EXECUTIVE SESSION:**

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

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

**RECONVENE REGULAR MEETING:**

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



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

MEETING ADJOURNED:

On motion of Councilman Talamini, seconded by Councilman Levy, the meeting be adjourned at 10:02 pm.

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

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Lisa M. Duncan, Borough Clerk

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Mayor Linda H. Schwager

March 28, 2018

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Date Approved