

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

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Talamini, 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:
Hopper's Pond Dredging; Affordable Housing
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 dredging of Hopper's Pond and Affordable Housing. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: by Council President Knapp at 7:31 pm.

ROLL CALL: Council President Knapp called the meeting to order and the Clerk called the roll.

Present: Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini. Absent: Mayor Schwager. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

EXCUSE ABSENCE:

On motion of Councilman Biale, seconded by Councilman Levy, the absence of Mayor Schwager be excused.

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

COUNCIL PRESIDENT'S REPORT:

Councilman Knapp congratulated Jim Folkerts on being named Hometown Hero by Congressman Gottheimer. He gave kudos to the US Women's Soccer team for winning the World Cup.

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 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.

RESOLUTION 19-202 AUTHORIZE GRANT AGREEMENT-NJ HISTORIC TRUST

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 Mayor and Council of the Borough of Oakland desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$ 118,765 for the following project: Van Allen House, Grant No. 2017.1019.

THEREFORE, BE IT RESOLVED, that the Mayor and Council authorizes Borough Administrator Richard S. Kunze to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

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

RESOLUTION 19-203 APPOINT TEMPORARY CLERK TYPIST

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 hire a temporary part-time clerk typist in the Construction Office;

NOW, THEREFORE, BE IT RESOLVED that Jean Bibbo be appointed as part-time clerk typist at a rate of \$28.00 per hour effective Thursday July 11, 2019.

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

RESOLUTION 19-204 MOVE SCHOOL ELECTION-RESOLUTION FAILED

Mr. Chewcaskie advised that at the last meeting, the Mayor directed him to preopare a resolution authorizing this action. This resolution mirrors the law.

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

WHEREAS, P.L. 2011, c. 202 authorizes changing the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

WHEREAS, such action requires the adoption of a resolution by a school district or the municipality constituting such district, as set forth in P.L. 2011, c. 202; and

WHEREAS, P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

WHEREAS, P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

WHEREAS, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election.

NOW THEREFORE, BE IT RESOLVED that, pursuant to P.L. 2011, c. 202, the Mayor and Council of the Borough of Oakland changes the annual election date for school board members from the third Tuesday in April to the November General Election, beginning in 2020.

BE IT FURTHER RESOLVED that, pursuant to P.L. 2011, c. 202, the annual organization meeting of the Oakland Board of Education will take place in the first week of

January following the November General Election, and that the board of education's next organization meeting will take place in the first week of January 2021.

BE IT FURTHER RESOLVED that, pursuant to P.L. 2011, c. 202, members of the Oakland Board of Education whose terms would have expired by May 2020 will continue to serve in office until the January 2021 organization meeting.

BE IT FURTHER RESOLVED that this resolution be transmitted to the Bergen County Clerk; the Bergen County Board of Elections and/or Superintendent of Elections; the Oakland Municipal Clerk and School Board Secretary; the Department of State, Division of Elections; the Department of Education's Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services.

BE IT FURTHER RESOLVED that a copy of this resolution also be provided to the New Jersey School Boards Association and New Jersey State League of Municipalities.

Discussion ensued. Councilman Levy commented that the money from the school election comes from the School Board and the School Board reimburses the Borough for our employees that work the election. He stated that residents can do a petition. Mr. Chewcaskie advised that there are three ways to move the school election. It can be done by resolution of the municipality, resolution of the School Board or petition of the voters. They need 15% of the registered voters. In doing research, it seems there was a petition circulated in 2012 but it did not garner enough signatures. The Board of Education also did a non-binding survey of residents and it seems that more residents want to keep the election in April.

Councilman Biale spoke to the County Clerk. Oakland is only one of four towns that have school election in April. The County Clerk gave a copy of a ballot for November which shows that the school board candidates have been moved away from the political lines. The County Clerk has gone out of his way to make this as non-political as possible. Right now the Board of Education budget is not subject to the 2% cap. If the election is moved to November, they would be subject to the cap. Councilman Talamini advised that the Board is currently subject to the 2% with the same exceptions that the Borough has with the budget. Councilman Biale commented that he is looking out for the taxpayers of Oakland. It does not seem plausible to have an election in April for 400 voters at a cost of \$21,000. He does not want to step on the Board of Education's toes but he would like the Board of Education to change the election. They haven't given enough reasons to keep the election in April. There are 10x more voters that vote in November.

Councilman Pignatelli agreed the decision should rest with the Board of Education. He explained that the Governing Body refers matters to other bodies such as the Planning Board and Zoning Board and we take their recommendations. He thinks this should be referred to the Board of Education. He would hate to negate another Board. Councilman Biale commented that he doesn't want to act like Big Brother but he wants the Board to understand they can use the money for something else. Councilman Pignatelli commented that if they move the election to November, there are ways for them to avoid the 2% cap by using exemptions.

Councilman Knapp agrees with Councilman Biale. He would like to see the Board of Education do a better job promoting the election so they can get more voters. He advised that the public can do a petition or the Governing Body can always change the election next year. He does not understand why there are so few towns that have an election in April. The Board of Education needs to step up. Councilman Levy asked Councilman Talamini to explain the Board's reasoning. Councilman Talamini explained that the Board of Education feels it is important for the voters to

have the right to vote on the budget. They lose the right to vote on the budget in November. Councilman Kulmala stated that the issue has been brought up for six months. The Mayor held a joint meeting with the Board of Education and the Governing Body. The school budget is the largest part of taxes and to take away the ability to vote on the school budget is detrimental. The Board of Education is a duly elected body that was elected to make decisions. It is an overreach of the Governing Body to make this decision for the Board of Education. Councilman Biale agreed but only 400 people are voting on the budget. Councilman Knapp reiterated it should be left up to the Board of Education to get more people to come out and vote.

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

The resolution failed.

RESOLUTION 19-205 AUTHORIZE REFUND-TEMPORARY FOOD LICENSE FEE

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

WHEREAS, the Board of Health has received a request for a refund of Temporary Food License Fee #T-24-19; and

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

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

Laura Adams, 38 Nokomis Avenue, Oakland, NJ 07436 refund due \$ 100.00

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

RESOLUTION 19-206 AUTHORIZE EXECUTION OF SETTLEMENT AGREEMENT-FANALE

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 (the "Borough") is involved in litigation entitled In the Matter of the Application of the Borough of Oakland, a Municipal Corporation of the State of New Jersey in the Superior Court of New Jersey, Docket No. BER-L-006359-15 with respect to Oakland's affordable housing obligation; and

WHEREAS, a Settlement Agreement has been reached between the Borough of Oakland and James Fanale and Joachim M. Fanale, as Co-Executors of the Estate of Salvatore J. Fanale, a copy of which is on file with the Borough Clerk; and

WHEREAS, the parties will appear in Court on August 27, 2019 for a fairness hearing resolving the aforementioned litigation.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oakland that the Settlement Agreement between the Borough of Oakland and James Fanale and Joachim M. Fanale, as Co-Executors of the Estate of Salvatore J. Fanale be executed by the Mayor and Borough Clerk in accordance with the provisions of law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately in accordance with law.

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

RESOLUTION 19-207 ACCRUED TIME PAYOUT-C. SANDAK

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.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 Cathy Sandak for sick, vacation, personal and compensatory time accumulated in the amount of \$ 2,128.15; 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 \$ 2,128.15 composed of 42.5 hours of vacation time, 35 hours of sick time, and 0 hours of personal time and 0 hours compensatory time be paid out to Cathy Sandak. 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.

FINAL PUBLIC HEARING: ORDINANCE NO. 19-BOND-786 2019 CAPITAL PURCHASE

The Clerk was directed to take from the table Ordinance No.19-Bond-786 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$881,250 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH.

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

BE IT RESOLVED that an Ordinance entitled, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Authorizing The Making Of Various Public Improvements And Acquisitions In, By And For The Borough, Appropriating Therefor The Sum Of \$881,250 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Of The General Capital Fund Of The Borough, 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.

FINAL PUBLIC HEARING: ORDINANCE NO. 19-BOND-787 2019 CAPITAL BOND ORDINANCE

The Clerk was directed to take from the table Ordinance No.19-Bond-787 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,780,500 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Authorize The Making Of Various Public Improvements And The Acquisition Of A New Automotive Vehicle, Including Original Apparatus And Equipment, In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$2,780,500 To Pay The Cost Thereof, To Appropriate Various Grants, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds., be adopted;

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

Councilman Kulmala questioned Section E of the ordinance regarding the Van Allen House. He questioned what grants are outstanding. Mr. Kunze responded that Section E covers the interior renovations for the Van Allen House at a cost of \$265,000 and the removal of the Stream House at a cost of \$215,000. There is a grant coming from the County for \$ 115,000 for the interior renovation project. The Council authorized a grant agreement this evening with NJ Historic Trust to cover costs for the Van Allen House. Mr. Kunze explained that when the Borough gets the grant reimbursements, it will reduce the debt obligation. Further discussion ensued over Van Allen House funding.

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

WORK SESSION:

FLOOD DAMAGE PREVENTION ORDINANCE:

Mr. Chewcaskie advised that every municipality has to update the flood ordinance based on the new FEMA maps. Our floodplain manager Nick Agnoli has communicated with the DEP and they have approved our draft ordinance. This brings our ordinance into conformance with the standards as of August 28th. The Borough is required to do this ordinance. Councilman Levy explained that we would be pulled out of the National Flood Insurance Program if we did not do this ordinance. He explained that we had three options for the ordinance and we did the one that will help us with our CRS program.

Councilman Kulmala asked what the burden will be on people who live in the flood zone. Councilman Levy explained that on August 28th, the new flood maps take effect. The base elevation is changing and anyone within 300 feet of the bank of the river is in the riparian zone which will make it much more difficult to do work. Councilman Kulmala asked if this has been

communicated to the residents with a mailing. Councilman Levy responded that there has not been a mailing but he has been announcing this at every Council meeting. He explained that anything that already exists within that zone is grandfathered. He explained that a resident can repair a driveway or sidewalk but would not be able to expand them. Discussion ensued over permit requirements within a riparian zone.

Councilman Kulmala thinks something should be communicated to the affected residents. He asked if the DEP will notify people. Councilman Knapp commented that the only way residents would know if they go to the Borough for a permit and are told they cannot do the work. Councilman Levy advised that we need to look at our ordinance with respect to stormwater management. He does not want to affect the Borough's CRS rating. Councilman Knapp advised that the Construction Department needs to be versed on the rules. Councilman Levy advised that our floodplain manager Nick Agnoli knows all the rules.

Councilman Kulmala asked how many houses are affected. Councilman Levy responded he believes there are 220 houses in the flood zone but there may be other properties in the riparian zone that are not flood properties. He advised that the houses on Grandview are in a flood zone but they are more than 300 feet from the river bank. The Oakland Elks won't be able to do any soil disturbance. Councilman Kulmala asked if the residents on Island Terrace will be allowed to do septic work. Councilman Levy responded that they will be allowed to repair the septic and replace with an in-kind septic. The resident would be allowed to make their septic compliant.

ENGINEERING PROPOSAL-ROUTE 202 SIDEWALK PROJECT:

Mr. Kunze explained that the Borough received a \$217,000 grant for sidewalks on Ramapo Valley Road north. This would cover 1200 feet south of Thunderbird to Saratoga. The final scope of the project will be based on available funding. Councilman Pignatelli questioned if we are doing eminent domain. Mr. Kunze explained that there may be cases where residents have encroached on the right of way.

Mr. Yakimik explained this is a two-step engineering proposal. The first step is to survey where the right of way is and get a handle on easements, retaining walls, etc. The second step is the construction plan. Councilman Biale advised that we have a \$ 217,000 grant but there is already some money set aside for the sidewalk project. Councilman Levy wanted to know if anyone asked the affected residents how they feel about sidewalks. Mr. Yakamik responded that the residents have not been asked but a survey needs to be done first. Councilman Biale advised that a good portion have existing sidewalks that are in disrepair. Councilman Pignatelli asked if there is a map. Mr. Yakimik advised that one would have to be prepared. Councilman Knapp asked if it ended at Saratoga and commented it would be nice to get to Brandywine. Mr. Yakimik responded that eventually we would like to connect to Patriot's Way.

ENGINEERING PROPOSAL-WATER USE & CONSERVATION MANAGEMENT PLAN:

Mr. Kunze explained this is a planning document that we need to develop to address our water deficit. We are required to do this for the Highlands Council and we need this for sewers. Two consultants are involved. One has been selected by the Highlands Council. Boswell will take the data to craft the rest of the plan. All of this is covered by the Highlands Plan Conformance grant.

DISCUSSION ON SCULPTURE DONATION:

Mr. Chewcaskie advised that at the last meeting, Mr. Marcalus indicated the location for the sculpture. There were three issues: location for the sculpture, ownership rights and obligations of the Borough once the sculpture is accepted. Once the Borough accepts the sculpture, we own it and will maintain it. He asked if this something the Council wants to accept. Councilman

Pignatelli said the Environmental Commission wanted to know if this sculpture was permanent or would only be located in Great Oak Park for three years. Mike Guadagnino, Park Committee Chairman, advised it would be up permanently. Mr. Chewcaskie will prepare a resolution for the next meeting if the Council is inclined.

ROLLER HOCKEY RINK:

Mr. Kunze advised that bids were received on July 2nd. Only one bid was received in the amount of \$ 457,000 for the base bid. This is well over the amount of funding available. It is well over the engineer's estimate for construction. Councilman Pignatelli asked if the project can be rebid. Mr. Kunze explained that the bid can be rejected and rebid. He explained that maybe a better approach would be to include the paving as part of the Borough's road program. Councilman Levy asked if Boswell can invite any contractors to bid. Mr. Yakimik responded that it can be readvertised for bid. Mr. Chewcaskie advised that there is no direct solicitation since the bid is publicly noticed. Mr. Kunze advised that two vendors picked up bids and it is advertised in the Construction Journal.

Mr. Yakimik advised that they estimated the cost for asphalt at \$90/ton and the bid came in at \$160/ton. The asphalt market for small quantities is extremely high. This can be rebid but the schedule is very tight. Mr. Yakimik thinks there would be better pricing if the asphalt was included with the road bid. Councilman Knapp asked what the tennis court is made of and Mr. Yakimik responded it is asphalt. Councilman Kulmala suggested this can be done in stages as well. Councilman Pignatelli asked Mr. Kunze to question if other towns have done this project. Mr. Kunze responded that Wyckoff did. Councilman Kulmala advised that Wyckoff resurfaced their rink and the cost was \$60,000. He asked if the C1 designation of the Ramapo River was going to affect the roller hockey rink. Councilman Levy responded it is beyond the 300 feet and it is also an in-kind replacement. Mr. Kunze thinks the best solution is to split the project up. Councilman Pignatelli asked if we will be able to get the rink done this year. Mr. Yakimik responded that we will try.

OLD BUSINESS:

Councilman Levy spoke about the tree by the train tracks at Bush Plaza that Councilman Kulmala asked to be removed. The tree is on the border between the railroad and our property. The railroad will not allow us to take it down. They will take it down and split the cost with us. We would have to remove the stump. We would have to buy another tree but cannot put it in the same spot. This may be considered a Heritage tree so Shade Tree needs to discuss. If it is a Heritage tree, it may need to be preserved. Councilman Kulmala wanted to move forward with the railroad taking down the tree. Mr. Kunze advised we will need an agreement for cross indemnification. Mr. Chewcaskie advised that we will also need an insurance certificate naming us as additional insured.

Councilman Knapp asked if the paving on Route 287 is continuing. Mr. Yakimik responded it is and should be done in a week or two.

COUNCIL REPORTS:

Councilman Pignatelli: He advised that his neighbor has an FAA license and is insured. He would like to fly a drone to photograph Great Oak Park and Borough property. Mr. Kunze was concerned about liability. Councilman Knapp wants Mr. Kunze to investigate the insurance and see if it is feasible.

Councilman Talamini: No report.

Councilman Levy: No report.

Councilman Biale: The Senior Summer movie is running on Mondays at 1:30 pm. The movie on July 15th will be The Upside and on July 22nd Isn't it Romantic. Bingo will take place on July 18th at 1 pm. The Oakland Rehabilitation Center along with Walgreens will do a presentation on skincare and sun safety on July 24th at 1 pm. There will be a new class on Arthritis Fitness. The fall trip to Paper Mill Playhouse will take place on October 3rd. The DPW is continuing with the annual fire hydrant flushing program. If a hydrant is non-functioning, it will be replaced. Wind River Environmental has completed the inspection of Borough-owned sanitary sewer mains. The final report should be delivered next week. Councilman Biale, Mr. Kunze and DPW Superintendent Marcucilli met with vendors for an electronic bulletin board. We are waiting for quotes.

Councilman Kulmala: The Library is doing a program Food for Fines. Library fines will be forgiven for anyone who donates food to the Ponds Church food pantry. The Library will have Laser tag on July 19th for 5th through 12th graders. There will be a game truck on July 25th. The summer reading program is underway. The OCC has advised that the new Bulletin Board is live. The TV Committee is looking for new members. The OCC is looking for better ways to communicate with residents.

Councilman Knapp: The Great Oak Park lawn is growing and had to be cut for the first time. The Bandshell is in the process of being ordered. The dog park fundraising continues. He hopes all public safety members stay safe.

Councilman Pignatelli questioned the location of the electronic sign. Councilman Biale explained that it cannot be too close to the Ramapo Valley Road and Oak Street intersection but they want people to see it when they are stopped at the traffic light.

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.

Mike Guadagnino, 34 Hopper Street, asked what the decision was for the roller hockey rink. Mr. Kunze advised the asphalt will be included in the Borough's road program bid. Mr. Guadagnino asked when the road program is done. Mr. Yakimik responded it would be the same general schedule that would be required to do the roller hockey rink. It will be done in September or October. Mr. Guadagnino advised that the boards would have to be done after the asphalt in November. There would be enough time with that schedule.

Don Sena, 47 Thackeray, commented that a lot of houses have streams and questioned if they will be affected by the new regulations. Councilman Levy responded it would have to be a direct tributary to the Ramapo River. Mr. Sena commented that letting the School Board decide on the school election makes no sense. Right now in April, the budget is not subject to the 2% cap. Mr. Chewcaskie responded that they are subject to the 2% cap with exceptions like the municipal budget. If the election moves to November, it would not be voted on unless it exceeds the 2%. Councilman Talamini explained that the budget in April is still subject to the 2% cap. The Board cannot go over the 2% without approval from the Department of Education. Mr. Sena stated that the April election is a waste of \$ 21,000 for the taxpayers. Councilman Biale commented that

the Board of Education has until the end of the year to move the election and then the Governing Body can bring it forward again for action.

Frank DiPentima, 6 Mountain Lakes Road, doesn't think the Mayor and Council should be discussion the school election. He thinks it is courageous of the Board of Education to still allow residents to vote on the school budget. Mr. DiPentima advised that the vote on the school budget is very important to him and if the election is moved to November, he will not be able to vote on the budget. He thinks the Mayor and Council did the right thing by voting the resolution down.

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.

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Levy, the meeting be adjourned at 9:10 pm.

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

Lisa M. Duncan, Borough Clerk
July 24, 2019

Robert Knapp, Council President

Date Approved