

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JULY 25, 2018

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Knapp, 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; Affordable Housing; Litigation
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, Pignatelli, Talamini.

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Borough Administrator called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini. Absent: Councilman Levy. Also Present: 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.

MOTION TO EXCUSE ABSENCE:

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

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

MAYOR'S REPORT:

Mayor Schwager advised that there will be a free concert at the Oakland Rehab Center on August 16th. The car show that was being held by RBARI has been cancelled. P.S.E.& G. is continuing work on Ramapo Valley Road from Franklin Ave. to Navajo Way. The Junior Police Academy graduation will be held July 27th. Mayor Schwager advised that Congressman Gottheimer is introducing legislation to rename the Oakland Post Office for former Postmaster Frank Leone. Mayor Schwager advised that the Borough of Fair Lawn's Office of Veteran Affairs and Rock Our Vets will be holding the third annual Fire Watch Festival on September 22, 2018. It is an opportunity for Veterans to learn about services that are available to them.

OPENED FOR PUBLIC DISCUSSION:

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

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

Loretta Patrone, 36 Nokomis, spoke about the Nonviolence Prayer Walk to be held September 23rd at 3 pm. She invited citizens and the Mayor and Council to join. She asked the Council to pass a proclamation at the next Council meeting.

Ed Hudzima, 576 Ramapo Valley Road, asked why the Stream House can't be torn down. Councilman Biale advised that the Stream House is part of a historic site. Nothing can be done without permission from SHPBO which we are currently working on. Mr. Hundzima had suggestions to change the flow of traffic. He stated there should be a "do not block the box" at Ramapo Valley Road and Franklin Avenue. He advised there is an issue with GPS which is sending truck traffic north on Route 202 to get to Route 17. He suggested requesting a weight limit on Route 202.

Don Burns, 22 Whittier Lane, advised that there are two spot lights which are blinding when on Franklin Avenue. He advised that the Police Department is doing a good job with the Junior Police Academy.

Nancy Krause, Chair of Environmental Commission, commented on support for the legislation on fee for single use plastic bags. She explained that 4 cents per bag will go towards land abatement. She explained that plastics break down but don't go away.

Don Burns, 22 Whittier, opposes the legislation for the fee on plastic bags. It is Government overreach and is not needed.

Ryan Schwertfeger, 58 Andrew Ave, advised the Borough newsletter will be returning as an e-newsletter. He advised residents to register for the newsletter on the OCC webpage. They will be sending the first issue in August. Paper copies will be available at the Library, Senior Center and Borough Hall.

Bill Livito, 18 Park Drive, complained about a cable service he is subscribing to but is not receiving the service. He questioned the status of flood map updates.

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, Pignatelli, Talamini.

APPROVAL OF MINUTES: JULY 11, 2018

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of July 11, 2018 be approved.

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

APPROVAL OF MINUTES: JULY 11, 2018 EXECUTIVE

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of July 11, 2018 be approved.

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

APPOINTMENT TO LIBRARY BOARD:

Mayor Schwager appointed Marilyn Cioffi to an unexpired term on the Library Board. The term will expire December 31, 2020.

AMENDED REQUEST BY P.S.E. & G. TO WORK SATURDAYS

Mayor Schwager explained that P.S.E. & G. is behind on the gas main project on Ramapo Valley Road. They explained that they cannot work when it rains and they have not been working on Saturday mornings because their men start work at 7 am and they can't sit around waiting until 9 am which is the start time that was granted by the Mayor and Council. The project has fallen behind and P.S. E. & G. is requesting to begin working at 8 am on Saturday mornings. Although several Councilmembers were not happy since other contractors are not allowed to begin until 9

am on Saturdays, it was determined that these are extreme circumstances and it is for the public good, permission should be granted to start work at 8 am.

APPROVE RAFFLE LICENSE RL1335

On motion of Councilman Biale, seconded by Councilman Pignatelli, approval be granted for Raffle License RL1335 for the Sports Association of Oakland to hold an off-premise 50/50 raffle on October 27, 2018 at the Oakland Recreation Fields.

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

RESOLUTION 18-263 AUTHORIZE DPW PROMOTIONS

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the endorsement of Department of Public Works Superintendent, Anthony Marcucilli, hereby approve the following promotional recommendation and salary increase effective Monday, July 30, 2018:

John Morrisroe, from Public Works Repairer to Senior Public Works Repairer, Grade 3, \$51,481 as per contract.

Tyler DelCorpo, from Laborer to Public Works Repairer, Grade 2, \$43,321 as per contract.

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

RESOLUTION 18-264 AUTHORIZE HIRE OF TEMPORARY CFO

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

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

WHEREAS, the Borough desires a CFO to serve on a full-time basis; and

WHEREAS, N.J.S.A 40A:9-140.13 (8) (f) and N.J.A.C. 5:32-2.5(a) permits individuals without a CMFO license to be appointed as Temporary CFO for a period of up to one year without approval of the Director of Local Government Services; and

WHEREAS, after conducting a thorough recruitment and interview process, it has been determined that David Young is the best candidate for the position;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that David Young is hereby appointed as Temporary CFO for a period not to exceed one year from July 26, 2018 at an initial annual rate of compensation of \$ 80,000.

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

RESOLUTION 18-265 CHAPTER 159 ALCOHOL EDUCATION REHAB FUND GRANT

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Borough of Oakland has received notification of a grant award of \$366.16 from the State of New Jersey Administrative Office of the Courts, Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund, for funding of the disposing of DWI cases, to protect the health and safety of the public., and wishes to amend its 2018 budget to include this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oakland hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written

Consent of Director of Local Government Services - Public and

Private Revenues Offset with Appropriations:

State of New Jersey Administrative Office of the Courts, Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$366.16 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Appropriations Offset by Revenues:

State of New Jersey Administrative Office of the Courts, Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund

Salaries & Wages- \$ 366.16

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services

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

RESOLUTION 18-266 AUTHORIZE ACCRUED TIME PAYOUT-C. CLIPPERTON

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 Christina Clipperton for sick, vacation, personal and compensatory time accumulated in the amount of \$ 1,160.00; 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 \$ 1,160.00 composed of 45.5 hours of vacation time, 0 hours of sick time, and 0 hours of personal time and 0 compensatory time be paid out to Christina Clipperton. 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, Pignatelli, Talamini.

RESOLUTION 18-267 AUTHORIZE RECREATION REFUNDS

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 has received a request for a refund of Summer Softball Camp Fee in the amount of \$60.00; 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:

Diane Pearson, 93 Yawpo Avenue, Oakland, NJ 07436 \$ 60.00

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

FINAL PUBLIC HEARING: ORDINANCE NO. 18-BOND-770 CAPITAL PURCHASES

The Clerk was directed to take from the table Ordinance No. 18-Bond-770 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 OF OAKLAND, APPROPRIATING THEREFOR THE SUM OF \$755,500 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND AND CAPITAL SURPLUS 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, Pignatelli, Talamini.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 Of Oakland, Appropriating Therefor The Sum Of \$755,500 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund And Capital Surplus 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, Pignatelli, Talamini.

FINAL PUBLIC HEARING: ORDINANCE NO.18-BOND-771 2018 BOND ORDINANCE

The Clerk was directed to take from the table Ordinance No. 18-Bond-771 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 IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,995,000 TO PAY THE COST THEREOF, 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, Pignatelli, Talamini.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$2,995,000 To Pay The Cost Thereof, 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.

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

WORK SESSION:

ARCHITECT PROPOSAL-NEW FIRE SUPPRESSION SYSTEM AT SENIOR CENTER.

Mr. Kunze explained that we had applied for CDBG funds for a new fire suppression system at the Senior Center. We realized the project was going to cost a lot more than originally anticipated. We were able to secure additional funding. The first step in the project is to engage an architect. It is important to move forward because there is an outstanding grant. Councilman Talamini and Councilman Biale had questions regarding the electrical. Mayor Schwager suggested that Mr. Kunze consult with Councilman Talamini and Councilman Biale.

ARCHITECT PROPOSAL-ACCESSORY GARAGE FIRE HOUSE #1

Mr. Kunze explained that this project is now as cost efficient as we can make it. We asked the architect for a proposal so we can move forward with the project. The proposal is for design, bidding and construction inspection. There will be a subsidiary proposal for site work. Mr. Kunze had provided a proposal from Boswell for a topographical survey. Mayor Schwager commented that the proposal for the survey was a lot of money. Borough Engineer Yakimik will speak with Mr. Boswell.

COUNCIL REPORTS:

Councilman Talamini: He congratulated the 8u and 9u baseball teams. The Public Events Committee needs members. There will be a meeting with the Board of Education on August 2nd to discuss the school election.

Councilman Kulmala: The Library furniture is mostly in. The circulation desk is in. the rooms can be utilized by local organizations. The Eagle Scout project is in progress. He spoke about events happening at the Library.

Councilman Biale: He spoke about upcoming Senior events. He spoke about Seniors participating in the County art show. The LED lights are being installed. The DPW is continuing

to monitor the gates at Crystal Lake with the threat of rain. The DPW is going around town doing recycling enforcement. Fire hydrants are being flushed for the annual program.

Councilman Knapp: First Aid responded to a total of 81 calls in June and year-to-date is 479 calls. The First Aid Squad was on standby with the Fire Department for the Wyckoff Y triathlon, the carnival and fireworks and graduations for Valley Middle School and Indian Hills High School. The Fire Department responded to 33 calls and 3 drills in June for 623 manhours. Year-to-date, the Fire Department responded to 280 calls. The Fire Department responded to two tractor trailer accidents on 287 and both were leaking diesel fuel. The Police Department responded to 717 calls in June and 11,228 year-to-date. They recently held Safety Town and the Junior Police Academy. He advised that Officers Harvey, Tineo, Griffin and Hintzen completed training. Councilman Knapp has been hearing positive remarks from the public on the Police Department.

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, Pignatelli, Talamini.

Mark Velloux, 94 Andrew Avenue, spoke about an erosion issue due to drainage. He advised this issue needs to be considered a part of our infrastructure.

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, 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, Pignatelli, Talamini.

MEETING ADJOURNED:

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

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

Lisa M. Duncan, Borough Clerk
August 8, 2018

Mayor Linda H. Schwager

Date Approved