

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY SEPTEMBER 29, 2010

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilman Pignatelli, 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
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 Burns, Marcalus, Pignatelli.

Discussion ensued over Police personnel.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Burns, seconded by Councilwoman Marcalus, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

MEETING CALLED TO ORDER: By Mayor Szabo at 7:35 pm.

ROLL CALL: Mayor Szabo called the meeting to order and the Clerk called the roll. Present: Mayor Szabo, Councilmembers Burns, Marcalus, Pignatelli. Absent: Councilmembers Di Pentima, Stagg, Visconti. 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 Szabo 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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CERTIFICATES TO 12U GIRLS SOFTBALL TEAM:

Mayor Szabo advised that it is a wonderful tribute to the girls and coaches to have won the Midland Park Summer Softball Tournament. He presented certificates to the following players and coaches:

|                   |                  |                 |                  |
|-------------------|------------------|-----------------|------------------|
| Shelby Allen      | Aileen Carey     | Gina DeOliveira | Brianna Hickey   |
| Jessica Jang      | Zoe Johnson      | Caitlyn Logatto | Kelly Long       |
| Siena Mayer-Costa | Nicole Mellone   | Shannon Petty   | Danielle Salomon |
| Kelly Vincent     | David DeOliveira | Ken Johnson     | Carl Mellone     |
| Candice Oltmanns  | Neil Malmud      |                 |                  |

Manager Neil Malmud thanked the Mayor and Council for their support of softball and the Recreation program. He thanked the coaches, parents and the girls for their hard work and dedication.

MAYOR'S REPORT:

Mayor Szabo advised that a storm is coming which will bring in excess of 4 inches of rain. He is hoping that Oakland is spared from flooding but advised that we are prepared to handle emergencies. Mayor Szabo spoke about the checklist from DCA that municipalities are required to submit. The questionnaire is based on the best practices that Trenton thinks municipalities should be doing to manage government. If municipalities don't answer yes to enough of the 88 questions, the State will deduct a portion of the State aid. Mayor Szabo advised that the document the Borough is sending to the State assures we meet the requirements for our State aid. He expects favorable results.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

John Schaus, 408 West Oakland Ave., a member of the Shade Tree Commission, advised that the Shade Tree Commission is looking for volunteers. The Shade Tree Commission is talking about putting a red Oak at the Raymond property as well as some shrubbery. Mr. Schaus commented that the Stream House should come down because it would cost too much money to save it.

Steve Moss, 42 Oneida Ave, had inquired several weeks ago about the number of tree permits issued. He was told that as of July, there were 133 permits requested and only two requests were rejected. Mr. Moss feels that the ordinance is unnecessary. He estimates that over five years, 1000 permits were issued at a cost to residents of \$ 25,000. This is an unnecessary infringement on property owners. He urged that the tree ordinance be repealed.

Sandra Coira, 67 Long Hill Rd, a Democrat candidate for Council, commented on the danger on River Road and asked what could be done regarding the speed limit and the curve in the road. Mayor Szabo responded that this is typically regulated by Title 39. If changes need to be made, there needs to be a study done by the Engineer and Traffic Officer. He will ask the Traffic Officer to evaluate. Ms. Coira advised she has heard that Senior housing is an issue. Mayor Szabo advised that the issue of affordable Senior housing is addressed in the affordable housing plan that was submitted to the Highlands Council. The Borough operates under COAH regulations and only a portion of affordable housing can be dedicated to Senior housing. We are trying to focus on the downtown. The problem is density. The Borough is working on getting sewers in the downtown in order to do mixed units of affordable housing. Ms. Coira advised that the Borough needs to push that issue. Ms. Coira asked why the Borough did not coordinate with Wyckoff and Franklin Lakes for garbage pickup. Mr. Kunze responded it was a timing issue. We have talked about doing that when the next round of bids come up. Mayor Szabo responded that Oakland meets monthly with Franklin Lakes and Wyckoff to coordinate shared services when possible. Ms. Coira responded that the Borough needs to look ahead to plan.

**CLOSED FOR PUBLIC DISCUSSION:**

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

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**APPROVAL OF MINUTES: SEPTEMBER 15, 2010**

On motion of Councilwoman Marcalus, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of September 15, 2010 be approved.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-170 AUTHORIZE APPLICATION B.C. RECREATION TRUST FUND GRANT**

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

WHEREAS, a Bergen County Open Space Trust Fund application in the amount of \$ 14,500 has been proposed by the Mayor and Council for the Mullin Park Playground in the Borough of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Oakland.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oakland does hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that the Governing Body is committed to providing a dollar for dollar cash match for the project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-171 AUTHORIZE ROCK SALT CONTRACT**

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

WHEREAS, the Borough of Oakland needs to purchase rock salt; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #10-55, Rock Salt, to Atlantic Salt, Inc. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase rock salt through the Bergen County Cooperative Pricing Council in an amount not to exceed \$82,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 0-01-26-306-058 and from appropriation in the 2011 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Rock Salt, in an amount not to exceed \$82,000, through the Bergen County Cooperative Pricing System, contract # 10-55, Rock Salt, awarded to Atlantic Salt, Inc..

Mayor Szabo explained that we use the County cooperative to get a better rate.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-172 AUTHORIZE GASOLINE CONTRACT**

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

WHEREAS, the Borough of Oakland needs to purchase gasoline for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #09-96, Gasoline, to Rachles/Michele's Oil and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase gasoline through the Bergen County Cooperative Pricing Council in an amount not to exceed \$ 110,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 0-01-31-460-001 and from appropriation in the 2011 current fund budget account #1-01-31-460-001 and 2010 Water Operating Fund budget account #1-05-55-508-000;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Gasoline, in an amount not to exceed \$110,000, through the Bergen County Cooperative Pricing System, contract # 0-96, Gasoline, awarded to Rachles/Michele's Oil, 116 Kuller Road, Clifton, NJ .

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-173 AUTHORIZE MUNICIPAL ALLIANCE GRANT**

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

WHEREAS, the Borough Council of the Borough of Oakland , County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Oakland, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for the Oakland Municipal Alliance grant for calendar year 2011 in the amount of \$10,356.00.
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-174 AUTHORIZE TAX APPEAL SETTLEMENT BLOCK 3603, LOT 3**

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

WHEREAS, Mulhern Belting, Inc., the owner of property known as Block 3603, Lot 3, located at 148 Bauer Drive, consisting of a warehouse structure, has appealed the 2009 and 2010 assessments of \$2,775,300; and

WHEREAS, the Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement wherein the 2009 complaint will be withdrawn, and the 2009 assessment will remain \$2,775,300; and the 2010 assessment will be reduced to a total of \$2,500,000, and the 2011 assessment will be reduced to a total of \$2,200,000; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-175 AUTHORIZE TAX APPEAL SETTLEMENT BLOCK 4504, LOT 35**

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

WHEREAS RVR, Inc., the owner of property known as Block 4504, Lot 35, located at 451-457 Ramapo Valley Road, consisting of a strip retail shopping center, has appealed the 2009 and 2010 assessments of \$1,200,000; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of this matter, wherein the 2009 assessment remains at \$1,200,000, and the 2010 assessment of \$1,200,000 will be reduced to a total of \$1,100,000; and the 2011 assessment will be reduced to a total of \$1,000,000

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-176 APPOINT SUBSTITUTE CROSSING GUARDS**

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

WHEREAS, the Police Chief has requested the appointment of two (2) substitute crossing guards and all necessary background checks have been completed;

BE IT RESOLVED, that the Mayor and Council hereby appoints Deborah A. Wyckoff and Mindy Greenfield as substitute crossing guard at a salary of \$ 14.02 per hour effective September 30, 2010.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-177 AUTHORIZE 2011 CDBG GRANT APPLICATION**

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

WHEREAS, a Bergen County Development grant of \$ 165,000 has been proposed by the Borough Administrator and Borough Engineer for paving of Oak Street in the municipality of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Oakland; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oakland hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Councilman Burns advised this does not obligate the Borough to any matching funds. Mr. Kunze responded that this does not cover soft costs. Those will be borne by the Borough.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**RESOLUTION 10-178 SPECIAL EMERGENCY APPROPRIATION-REASSESSMENT**

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

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred for the conducting of a town-wide reassessment program; and,

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED, by not less than two-thirds of all governing body members affirmatively concurring that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for the conducting of a town-wide reassessment program in the total amount of \$108,000.
2. That the emergency appropriation shall be provided for in the budgets of the next five succeeding years by the inclusion of not less than \$21,600.
3. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Mayor Szabo explained that the benefit to doing this as a special emergency is that it can be put in the budget over five years. The Reassessment will level assessments in the Borough.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

#### RESOLUTION 10-179 AWARD CONTRACT FOR REASSESSMENT

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a firm to perform a town-wide Reassessment; and

WHEREAS, funds will be available by way of budget to compensate said Reassessment firm; and

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

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1<sup>st</sup>, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Borough's Review Team has determined that the firm of Appraisal Systems, Inc. of 266 Harristown Road, Glen Rock, NJ will be the most advantageous to the Borough, all relevant factors considered; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that Appraisal Systems, Inc. is hereby awarded the contract for a Town-wide Reassessment pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED that the contract amount shall not exceed \$ 108,000 as outlined in the RFP received on September 21, 2010; and

BE IT FURTHER RESOLVED that the CFO has certified that funds will be available by way of emergency appropriation pursuant to N.J.S.A. 40A:4-53; and

BE IT FURTHER RESOLVED that the awarding of this contract is subject to the approval by both Bergen County and the State of New Jersey of the Borough's request to perform a reassessment and adoption of Resolution 10-178 and Ordinance 10-Code-633 providing funding via a special emergency appropriation in compliance with N.J.S.A. 40A:4-53; and

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

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

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

**INTRODUCTION: ORDINANCE NO.10-CODE-631 COPY FEES**

The Clerk was directed to take from table Ordinance No. 10-Code-631 and read by title for its first reading.

The Clerk then read by title Ordinance No. 10-Code-631 entitled: "AN ORDINANCE AMENDING CHAPTER 2, SECTION XI OF THE BOROUGH OF OAKLAND CODE ENTITLED "FEES FOR MUNICIPAL AND PUBLIC RECORD"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending Chapter 2, Section Xi Of The Borough Of Oakland Code Entitled "Fees For Municipal And Public Record", be introduced;

That said Ordinance be considered for final adoption at a meeting on October 13, 2010 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 October 4, 2010 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 Burns, Marcalus, Pignatelli.

**INTRODUCTION: ORDINANCE NO. 10-CODE-633 SPECIAL EMERGENCY**

The Clerk was directed to take from table Ordinance No. 10-Code-633 and read by title for its first reading.

The Clerk then read by title Ordinance No. 10-Code-633 entitled: "AN ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF \$108,000 TO

CONDUCT A TOWN-WIDE REASSESSMENT PROGRAM TO UPDATE THE PREVIOUS REVALUATION”

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Providing For A Special Emergency Appropriation Of \$108,000 To Conduct A Town-Wide Reassessment Program To Update The Previous Revaluation, be introduced;

That said Ordinance be considered for final adoption at a meeting on October 13, 2010 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 October 4, 2010 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.

Councilman Burns asked if we would be putting in a not to exceed amount. Mr. Kunze advised that language does not go into the ordinance but would be included in the contract.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

WORK SESSION:

FLOOD COMMISSION LETTER

Councilwoman Marcalus had questions about the letter that the Flood Commission wanted the Mayor and Council to send. Mayor Szabo responded that the downstream communities continue to flood and they are blaming the flooding on the gates that were installed by the Federal Government at a cost of \$ 20 million. There have been many discussions. The Army Corps of Engineers is supposed to do a study of how the operation of the gates have affected flooding downstream. The gates operate in a neutral manner. All facts by the Army Corps and DEP show the gates have a minimal impact on flooding downstream. There were talks of tweaking the gates and lowering the water level. We in Oakland are concerned about the tenor of the discussion. It is almost like the gates are being condemned. The Flood Commission wants to raise the concerns of Oakland. Councilwoman Marcalus asked who would write the letter. Mayor Szabo responded that the letter should come from his office since he has been intimately involved with these discussions.

Councilman Burns suggested doing a resolution that the entire Council could support. Mayor Szabo responded he does not want to appear confrontational or take an adverse position with the neighboring communities. Councilman Burns commented that the Flood Commission’s letter is well worded. He thought the Council could send a resolution that is well worded. He asked that the attorney draft a resolution to consider at the next meeting.

AMEND SIGN ORDINANCE

Mr. Chewcaskie advised that there was discussion at the last meeting to amend the sign ordinance for exempted public and charitable signs. Mr. Chewcaskie did a draft ordinance to codify what has been done in the past by allowing charitable signs at Bush Plaza. This ordinance will be introduced on October 13<sup>th</sup>.

**BACKGROUND CHECKS-MOBILE FOOD VENDORS:**

Councilman Pignatelli distributed a sample ordinance from Lincoln Park. It would require people applying for peddler's and solicitor's licenses to undergo a background check. Councilman Burns asked if Councilman Pignatelli was intending on replacing the current ordinance on peddler's and solicitor's. Councilman Pignatelli does not want to duplicate anything in the current ordinance. He suggested having the Attorney review the draft. It could be in addition to what Oakland currently has on the books. Mr. Chewcaskie responded he reviewed the ordinance that Councilman Pignatelli submitted. It would require an amendment to Oakland's ordinance. Mayor Szabo directed the Attorney to draft an ordinance. Councilwoman Marcalus asked if kids who sell magazines door-to-door need background checks. Mr. Chewcaskie advised we are looking to have mobile food vendors submit to background checks. The Borough already has a peddling and soliciting ordinance. We need to conform an amendment to mobile food vendors. Mr. Kunze advised he will ask the Police Chief to review the language and comment.

**NEW BUSINESS:**

Mr. Kunze advised that we just received information from the County on the new diesel contract. A resolution will be listed on the next agenda to award that contract.

**COUNCIL REPORTS:**

Councilwoman Marcalus: She read that Sustainable Jersey was selected as one of eight finalists in the National Strong Communities competition.

Councilman Burns: The Recreation Commission met last night and discussed fingerprinting and background checks. It is becoming difficult to implement because the Police Department can no longer run the fingerprints through the system. The Rec. Commission may suggest doing checks based on drivers licenses. Mr. Kunze responded that the issue is that the Rec. Commission is not doing the fingerprinting. His office is researching this issue. We must determine the level of comfort of wanting fingerprints checked or doing something less. Councilman Burns advised that there was discussion of a lightning detection system. The Rec. Commission gave kudos to James Construction. They have done a tremendous amount of work on our fields. The Shade Tree Commission and Municipal Alliance meet next Monday.

Councilman Pignatelli: He advised that Operation Take Back was held this past Saturday. The program collected unused medication because of concerns of medication in the water. New Jersey collected seven tons of medication.

**BILLS TO BE PAID:**

On motion of Councilman Burns, seconded by Councilwoman Marcalus, 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 Burns, Marcalus, Pignatelli

MEETING ADJOURNED:

On motion of Councilwoman Marcalus, seconded by Councilman Pignatelli, the meeting be adjourned at 8:58pm.

ROLL CALL: All yeas, Councilmembers Burns, Marcalus, Pignatelli.

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Lisa M. Duncan, Borough Clerk  
October 13, 2010

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Mayor John P. Szabo, Jr.

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Date Approved