

SPECIAL MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
SATURDAY FEBRUARY 14, 2009

MEETING CALLED TO ORDER:

ROLL CALL: Mayor Szabo called the meeting to order and the Clerk called the roll. Present: Mayor Szabo, Councilmembers Di Pentima, Marcalus, Pignatelli, Visconti. Absent: Councilmembers Burns, Stagg. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator.

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.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Di Pentima, Marcalus, Pignatelli, Visconti.

No members of the public present.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Di Pentima, Marcalus, Pignatelli, Visconti.

INTRODUCTION: ORDINANCE NO. 09-CODE-588

The Clerk was directed to take from table Ordinance No.09-Code-588 and read by title for its first reading.

The Clerk then read by title Ordinance No. 09-Code-588 entitled: "A BOND ORDINANCE TO AMEND SECTIONS 1, 2, 3 AND 6 OF THE BOND ORDINANCE (ORD. NO. 07-561) ENTITLED: "AN ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF OAKLAND AND APPROPRIATING \$1,175,000 THEREFOR (INCLUDING \$125,000 EXPECTED TO BE RECEIVED FROM THE BERGEN COUNTY OPEN SPACE FUND) AND PROVIDING FOR THE ISSUANCE OF \$997,500 IN BONDS OR NOTES OF THE BOROUGH OF OAKLAND TO FINANCE THE SAME," ADOPTED NOVEMBER 7, 2007"

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

BE IT RESOLVED that an Ordinance entitled, "A Bond Ordinance To Amend Sections 1, 2, 3 And 6 Of The Bond Ordinance (Ord. No. 07-561) Entitled: "An Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey, Providing For Various Capital Improvements And Other Related Expenses In And For The Borough Of Oakland And Appropriating \$1,175,000 Therefor (Including \$125,000 Expected To Be Received From The Bergen County Open Space Fund) And Providing For The Issuance Of \$997,500 In Bonds Or Notes Of The Borough Of Oakland To Finance The Same," Adopted November 7, 2007", be introduced;

That said Ordinance be considered for final adoption at a meeting on February 25, 2009 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 8:00 P.M.

That said Ordinance be published in full in The Record on or before February 17, 2009 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: Yeas, Councilmembers Marcalus, Visconti.
Nay, Councilmembers Di Pentima, Pignatelli.

Mayor Szabo broke the tie and voted to introduce the ordinance.

Councilman Pignatelli advised he is not voting against the other items in the ordinance that is being amended. He is not in favor of spending the increased amount of money for Alternate C when Alternate A will make the courts safe. Mr. Kunze explained that bond counsel set up this ordinance as an ordinance to amend the original bond ordinance. The ordinance increases by \$ 240,000. There is a \$ 12,000 increase in down payment and a \$ 228,000 increase in bond amount. Section 410 costs will go to \$ 650 for the tennis courts. The additional \$ 144,000 grant is not specifically listed. However, the additional section speaks about any grants to be applied. Councilman Di Pentima commented this acts like a supplemental ordinance but the numbers are just specific to the tennis court.

RESOLUTION 09-68 INTRODUCTION OF BOND ORDINANCE

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

BE IT RESOLVED that the ordinance entitled:

"BOND ORDINANCE TO AMEND SECTIONS 1, 2, 3 AND 6 OF THE BOND ORDINANCE (ORD. NO. 07-561) ENTITLED: 'AN ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF OAKLAND AND APPROPRIATING \$1,175,000 THEREFOR (INCLUDING \$125,000 EXPECTED TO BE RECEIVED FROM THE BERGEN COUNTY OPEN SPACE FUND) AND PROVIDING FOR THE ISSUANCE OF \$997,500 IN BONDS OR NOTES OF THE BOROUGH OF OAKLAND TO FINANCE THE SAME,' ADOPTED NOVEMBER 7, 2007."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of February, 2009, at 8:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ROLL CALL: Yeas, Councilmembers Marcalus, Visconti.
Nay, Councilmembers Di Pentima, Pignatelli
Mayor Szabo voted yes to introduce the ordinance.

GOAL SETTING:

Mayor Szabo commented that the feedback from the last goal setting session was positive.

INFRASTRUCTURE:

Mr. Kunze advised that the last session, the Council was working from the bottom up. We looked at strengths and weaknesses. Now we are looking at specific projects to indentify.

Mayor Szabo advised that he had a meeting with Lew Levy of the Flood Commission and OEM Coordinator Roy Bauberger. They discussed issues with the river. Mayor Szabo advised that we must deal with Allerman Brook and the river. The brook is wearing down the banks and that makes it a flooding issue. We suspect that it has to do with drainage coming off of Route 287.

DOWNTOWN:

There was discussion about streetscape such as trees, benches, lighting, sidewalk and ADA compliance. There was a question about Developers vs. Borough projects. There are standards and a plan in place. There was discussion about the Eden project and their streetscape. Councilman Di Pentima questioned if there is the thought of doing the downtown streetscape at this time or should we hold off because of the bypass. Mayor Szabo responded that it comes down to money. Councilman Visconti commented that a tax could be created for people in that special improvement district to go back to the project. Mayor Szabo explained that the State matches money in a special improvement district and that is a dedicated fund. Councilman Visconti commented that the Borough can even tax businesses to use the sewer system. Mayor Szabo commented that there would be no money from the Borough but it is a double edge for businesses. The Council needs to address land use issues and then can concentrate on the vision. He explained that the businessman's investment would be protected because it would be in a dedicated fund. Mr. Kunze commented that the money can not only be used for streetscape but for a marketing program, façade renovation, etc. Mayor Szabo commented that the Eden project was an experiment that the Borough did not have to pay for.

Mayor Szabo commented that the bypass road needs to be addressed. Some traffic has to be alleviated but he doesn't want to make it too easy for people to bypass the businesses. However, if nothing is done about a bypass road, people will avoid the downtown. Mayor Szabo advised that sewers are the key issue for the downtown. The Borough has to invest in sewers in order to draw developers in who could help pay for the bypass road. He explained that there are some alternatives. The best option costwise would be to hook in with the Northwest Bergen Utilities Authority going through Franklin Lakes. There are four options: 1. Pompton Lakes 2. Wayne/Northwest Bergen Utilities 3. Wayne 4. Northwest Bergen Utilities Authority. Mr. Kunze advised a side benefit would be to decommission some of the Borough's treatment plants.

Councilwoman Marcalus asked what the timeframe would be. Mayor Szabo responded it would be two to five years. He will talk to Northwest Bergen Utilities Authority and come to the Council with the results. The major problem is the DEP. The DEP would see it as stressing another system. Councilman Pignatelli questioned if we wouldn't be able to get in if NW Bergen Utilities Authority reaches capacity. Mayor Szabo commented that if they could have reached capacity, they would have done so already.

Mayor Szabo advised he is tweaking the ordinances for rezoning the downtown. It should be listed on the March 11th agenda. He spoke about affordable housing. He wants to concentrate development in the Borough to the downtown and to meet Mount Laurel requirements. He wants to create affordable housing opportunities for Seniors and families. Mayor Szabo advised that the COAH third round plan is due December 2009.

Councilman Visconti asked if the Borough received the State budget figure yet. Councilman Di Pentima responded it will go down but he doesn't know how much. Councilman Visconti asked how our budget has an affect on what is being discussed in the goal sessions. Mr. Kunze responded that we need to do the budget and know how much is available to spend this year. Councilman Di Pentima commented that the Council needs to come up with a capital number so as things come off, new projects are put on. Councilman Visconti commented that the debt schedule shows a drop off in 2012. The Borough would need to pay principal on the tennis court project beginning in 2011. We need to tailor a debt schedule with all projects. Councilman Di Pentima spoke about a stabilization plan. He advised that the Borough needs a fund for retirement payouts so it won't affect the budget. Mayor Szabo commented it is important to discuss drop-offs. He spoke about stabilization vs. tax reduction. Councilman Di Pentima commented that stabilization is a goal that can be achieved.

Discussion turned to Flood Control. Mayor Szabo advised that we are monitoring operations of the dam with DEP and North Jersey Water Supply. The Borough has a riverkeeper to watch conditions of the river. He advised that the Borough needs to address the erosion of the banks by 287. This is vital because of the impact downstream of flooding and for people who live there now. Councilman Visconti commented that we have been spending money on this. If the Borough finds out that this is the DOT's fault from building 287, could we get the money back. Mayor Szabo responded that Councilwoman Stagg began pursuing this. We will pursue it through the legislators. Mr. Kunze advised that the DPW does bank maintenance on the river bank. He advised that the grout bag weir is going to be replaced this summer.

FLOOD:

- Dam (repair project)
- River restoration
 - Important for downstream community, too
 - Bank stabilization needed-scouring problem
 - Bank maintenance (DPW)-continuous
 - Interagency issues (DOT, DEP, Army corps, FEMA)
- Groutbag weir to be fixed summer 2009
- Allerman Brook (grant program)
- Mitigation plan (in scoping phase)

AFFORDABILITY/PROPERTY TAXES

- Stabilization of Tax Rate
- Long-term planning/Budget planning
- Downtown development/ratables

-Organizational cost containment

- Healthcare (PPO education, for example)
- Energy Audit
- Shared Services
- Wages (?)
- Annual fees review
- Capital project cancellation

Councilman Visconti commented that the biggest thing that needs to be addressed in the operating budget is the insurance. There was discussion about educating the employees about the PPO. There was discussion about the review of annual fees.

MEETING ADJOURNED:

On motion of Councilman Di Pentima, seconded by Councilman Pignatelli, the meeting be adjourned.

ROLL CALL: All yeas, Councilmembers Di Pentima, Marcalus, Pignatelli, Visconti.

Lisa M. Duncan, Borough Clerk

Mayor John P. Szabo, Jr.

Date Approved