

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY MARCH 12, 2008

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilman Burns, 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:  
Litigation, 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, Visconti.

The Borough's special counsel gave an update on the status of litigation regarding the library project. Councilman Pignatelli entered at 7:45 pm. Discussion ensued over the Borough Administrator's contract.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Szabo at 8:11 pm.

ROLL CALL: Mayor Szabo called the meeting to order and the Clerk called the roll. Present: Mayor Szabo, Councilmembers Burns, Marcalus, Pignatelli, Visconti. Absent: Councilmembers Di Pentima, Stagg.. Also Present: Lisa M. Duncan, Borough Clerk; Brian Chewcaskie, Borough Attorney; Borough Engineer Kevin Tichacek.

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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MAYOR'S REPORT: There was significant rain over the past week but Mayor Szabo was advised that the gates were operating and the town did not flood. Mayor Szabo still has concerns over the operation of the gates. The DOT is retaining a contractor to remove debris in the river under the Route 287 bridge which is good news for the Borough. Mayor Szabo thanked Councilwoman Stagg for pressing the issue as well as Roy Bauberger and Borough Engineer Kevin Tichacek. Mayor Szabo is pleased to announce that the Council is appointing a new Business Administrator tonight. It is a very important position and the Borough is appointing a very qualified candidate.

PRESENTATION TO FIRE PREVENTION POSTER WINNER:

Mayor Szabo presented a savings bond to Victoria Zakarzewski who is the third grade winner for Manito School for the Fire Prevention poster contest.

PRESENTATION TO GIRL SCOUT LEADER:

Mayor Szabo presented the following plaque to Girl Scout leader Lynn Albala:

IN RECOGNITION OF YOUR LEADERSHIP AND DEDICATION

LYNN ALBALA

GIRL SCOUT ADVISOR, TRAINER AND GOLD ALLIANCE MEMBER

As an active participant in Girl Scouts, seven years as a Girl Scout and eight as an adult volunteer, you profile the pledge of founder Juliette Gordon Low to "Inspire and empower young girls to develop qualities that will serve them all their lives - leadership, strong values, social conscience, and conviction about themselves."

The Girl Scout leadership positions in which you currently serve:

Troop advisor to a multi-grade high school Girl Scouts troop. Oakland Girl Scout Service Unit Manager serving as a resource for troop leaders and advisors. Girl Scout Gold Alliance Member reviewing and approving Girl Scout Gold Project Proposals. Girl Scouts 11-17 Consultant for Oakland and Wyckoff Service Units doing volunteer training.

Assisting in the Oakland Girl Scout Event Celebration for the 95<sup>th</sup> Anniversary and Juliette Gordon Low's Birthday.

Assisting in the Girl Scout Council Rickabear Rendezvous – An adult volunteer weekend at Lake Rickabear.

It is an extraordinary talent to give back and to foster that which you have experienced. Thank you Lynn Albala for your selfless generosity in continuing the values and traditions of Girl Scouts USA by helping today's girls become tomorrow's leaders.

Mayor Szabo advised that Oakland is blessed with many volunteers who donate their time and talent.

**PROCLAMATION: GIRL SCOUT MONTH**

Mayor Szabo read the following proclamation:

**WHEREAS**, Monday, March 12, 2008, marks the 96th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

**WHEREAS**, throughout its distinguished history, Girl Scouting has helped build millions of girls and women of courage, confidence and character; and

**WHEREAS**, through the dedication, time, and talent of volunteers of different backgrounds, abilities, and areas of expertise, the Girl Scout Organization thrives for girls in so many settings; and

**WHEREAS**, through the Girl Scouts unique leadership development program, girls define leadership by making the world a better place by discovering, connecting, and taking action in their communities; and

**WHEREAS**, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in math, science, sports, technology, health and fields that can expand their horizons.

**NOW, THEREFORE, BE IT RESOLVED**, that I, John P. Szabo, by virtue of the authority vested in me as Mayor of the Borough of Oakland, do, proudly, hereby proclaim the month of March in the Borough of Oakland as:

**“Girl Scout Month”**

And, on behalf of the residents of our community applaud the outstanding commitment the Girl Scout Organization has made to America's girls for the past 96 years and wish them continued success in all their endeavors.

Mayor Szabo commented that he likes to start the meetings off with positive things happening in the community. Mayor Szabo announced that the Borough did receive Tree City USA designation.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

Corky Swiers, 22 Ramapo Terrace, questioned if the Borough is in possession of the money from the State and County for the purchase of the NJ Capital property. Mayor Szabo responded that the money has been appropriated by the State and the County is holding a hearing tonight to approve the money. Ms. Swiers asked if the developer is still interested in buying the property. Mayor Szabo responded that the developer owns the property. The Planning Board denied the project and the Court ordered the Borough to purchase the property from the developer. Ms. Swiers questioned if the 1 cent tax for open space was for a five-year period. Mayor Szabo replied that it was but the time hasn't lapsed yet. Ms. Swiers questioned what would happen if the open space referendum was not renewed. Mayor Szabo responded that if the referendum were not renewed, then the Borough will use what was already collected until it is done. Ms. Swiers questioned how the Borough will pay the \$ 5.1 million. Mayor Szabo advised it will be \$ 5.1 million less the State portion and the County portion. Ms. Swiers questioned if the money will come out of taxes. Mayor Szabo responded that the \$ 800,000 in the open space trust fund will allow the Borough to bond the \$ 5.1 million. The open space tax money can then be used to pay down the bond. Ms. Swiers asked about an application to build on the mountain and spoke of water that drains off the mountain. Mayor Szabo replied there is no active application.

Chris Baczewski, 113 Yawpo Ave, advised that the Oakland Chamber of Commerce will be holding a business card exchange on March 18<sup>th</sup> at 7 pm at Timbers Restaurant. Mr. Baczewski commented that he remembered the residents fighting the Pinnacle project for many years because the Borough would have to build a school. He feels the loss of taxes for the NJ Capital property is not as big a deal as the infrastructure costs. The residents of Oakland voted to pay more money to the State for open space to be used in other towns. If the residents pay the additional money to Oakland, then the Borough can purchase its own land. Although the Borough needs affordable housing, there are better places in the center of town to use.

Paul Zakarzewski, Thunderbird Drive, spoke of the eyesore lot located next to the gas station on Ramapo Valley Road near the Valley Pub. Mayor Szabo explained that the Board of Adjustment denied that application and Judge Harris reversed the decision and ordered the developer to build. Mayor Szabo explained that once a building permit is issued, it doesn't expire as long as minimum activity is taking place. Councilman Burns responded that we do have property maintenance requirements and laws on parking vehicles.

Corky Swiers, 22 Ramapo Terrace, advised that a drum had been placed on her street. There are dead fish floating in the river and she was wondering if the drum was leaking. Mayor Szabo responded he would look into the situation.

**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, Visconti.

**APPROVAL OF MINUTES: FEBRUARY 13, 2008**

On motion of Councilwoman Marcalus, seconded by Councilman Visconti, the minutes from the Mayor and Council meeting of February 13, 2008 be approved as amended on page 2.

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

APPOINTMENT TO SHADE TREE COMMISSION:

Mayor Szabo appointed Kim Bouma to the Shade Tree Commission at the recommendation of John Schaus.

RESOLUTION 08-61 BUDGET TRANSFERS

Remove From the Table:

On motion of Councilman Burns, seconded by Councilman Pignatelli, Resolution 08-61 be removed from the table.

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

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

BE IT RESOLVED that the following budget transfers be made to the 2007 budget:

CURRENT

From:		To:	
7-01-20-130 Finance S&W	\$ 1,000	7-01-20-010 Admin & Exec S&W	\$ 2,790
7-01-20-145 Revenue Adm. S&W	\$ 4,000	7-01-20-020 Admin & Exec OE	\$ 1,230
7-01-22-195 Uniform Const. S&W	\$ 28,365	7-01-20-110 Mayor Council OE	\$ 5,875
7-01-25-240 Police Dept. OE	\$ 44,540	7-01-20-120 Clerk OE	\$ 700
		7-01-20-130 Finance O.E.	\$ 500
	\$ 77,905	7-01-20-155 Legal	\$ 14,650
		7-01-20-180 Planning Bd. S&W	\$ 685
		7-01-21-485 Bd.Adj. S&W	\$ 620
		7-01-25-240 Police Dept. S&W	\$ 44,540
		7-01-25-265 Fire Prevention S&W	\$ 200
		7-01-26-310 Bldg & Grounds S&W	\$ 1,450
		7-01-26-311 Bd of Health S&W	\$ 165
		7-01-31-430 Electric OE	\$ 4,500
			\$ 77,905

WATER

From:		To:	
7-05-55-501 Water S &W	\$ 10,590	7-05-55-508 Utilities-Electric OE	\$ 3,580
7-05-55 Group Health	\$ 30,000	7-05-55-508 Utilities-Gasoline OE	\$ 14,295
	\$ 40,590	7-05-55-509 Other Insurance OE	\$ 22,715
			\$ 40,590

SEWER

From:		To:	
7-07-55-502 Oakwood S&W	\$ 4,570	7-07-55-506 Utilities OE	\$ 120
		7-07-55-509 Other Insurance	\$ 4,450

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

RESOLUTION 08-63 CANCEL CREDIT BALANCES

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

WHEREAS, there are odd and small credit balances in taxes on various parcels of property in the Borough of Oakland which are less than \$10.00 each; and

WHEREAS, by Statute (N.J.S.A. 40A:5-17.1) such taxes may be canceled; and

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed credit balances for the years 2007;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following credit balances for 2007 as listed below:

CREDIT BALANCES

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Amount</u>
802	58		\$ .01
1202	13		9.00
1501	46		.60
1704	21		4.83
1901	39	C0001	.63
2001	25		.01
2001	26		8.98
2102	1.02		.01
2302	5		.01
2420	16		.39
2501.16	3		.01
2503	5.01		1.60
2518	5		3.51
2703	1	C00M7	1.67
2801	45		.57
3411	1.03		3.32
3501	21		.10
3703	43		.01
3801	74		9.26
3801	107		5.00
3804	19		5.56
3804	30		.96
3903	3		.01
3903	67		7.00
4302	28		10.00
4305	5		10.00
4402	43		7.80
4507	42		.07
4701	49		10.00
5002	28		1.37
5002	39		9.14
5301	10		.02
5305	7		.09
5401	38		.01
5603	26		.01
Total			\$111.56

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

RESOLUTION 08-64 CANCEL DEBIT BALANCES

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

WHEREAS, there are odd and small debit balances in taxes on various parcels of property in the Borough of Oakland which are less than \$10.00 each; and

WHEREAS, by Statute (N.J.S.A. 40A:5-17.1) such taxes may be canceled; and

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed debit balances for the year 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following debit balances for 2007 as listed below:

DEBIT BALANCES

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Amount</u>
1401	6		.01
1807	4		2.12
1901	39	C0028	1.04
2401	8		.21
3208.02	1.04		1.41
4401	48		1.72
4504	51		7.12
4801	2		.03
5202	37		.61
5504	20		7.02
TOTAL			\$ 21.29

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

RESOLUTION 08-65 AUTHORIZE ENGINEERING FOR TENNIS COURTS-TABLE

Borough Engineer Kevin Tichacek made a recommendation for the Council to table this resolution. The Recreation Commission has changed the scope of work as of last Friday. This amended proposal that was on the agenda tonight included lighting. Now the scope is being changed to include three additional tennis courts.

MOTION TO TABLE:

On motion of Councilwoman Marcalus, seconded by Councilman Visconti, Resolution 08-65 be tabled.

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

Councilman Burns commented that on February 13, 2008, the Council approved Resolution 08-49 which authorized the Engineering for the tennis court project. That was for the original three

courts. He advised that Resolution 08-49 should be rescinded. Mr. Tichacek responded at the next meeting, he will have a revised proposal. Borough Attorney Chewcaskie responded that the resolution will provide language that will supercede Resolution 08-49. Councilman Burns questioned if the project is going to be bid with three courts as an option. Mr. Tichacek responded the revised project scope was to bid for six courts. However, the Borough can bid Courts 1,2 and 3 and bid Courts 4, 5 and 6 as an alternate. Councilman Burns responded that he does not want to go out to bid for six courts and then not have enough money to award the project. Mr. Tichacek confirmed the Borough can bid Courts 4, 5 and 6 as an alternate.

**RESOLUTION 08-66 TEMPORARY EMERGENCY RESOLUTION**

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

WHEREAS, an emergency condition has arisen with respect to various line items and no adequate provisions have been made in the 2007 temporary budget for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolution adopted in the year 2008 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, O.L. 1951 as amended) including this resolution total  
\$ 54,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland (not less than two thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20,

1. An emergency temporary appropriation be and the same is hereby made for the account listed in the amount of \$ 54,500.00.  

Police-Other Expenses	\$ 54,500.00
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2. That said emergency temporary will be provided for in the 2008 budget under the title of 2008 Municipal Budget.

Councilman Visconti explained that this resolution is necessary so the Police Department can order two cars.

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

**RESOLUTION 08-67 APPOINT BOROUGH ADMINISTRATOR**

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

WHEREAS, the Borough of Oakland is desirous of hiring an Administrator; and

WHEREAS, the Borough has interviewed candidates and reviewed applications; and

WHEREAS, the Borough believes that Richard Kunze is the applicant most qualified;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that Richard Kunze, be and is hereby hired as Borough Administrator effective March

24, 2008, to be compensated at the yearly salary of \$120,000, and other benefits as set forth in and subject to the execution of the attached employment agreement and further subject to the approval of such agreement by the Mayor and Council; and

BE IT RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to maintain a copy of this Resolution and the agreement with Mr. Kunze, in her offices, for public inspection.

Councilman Visconti advised that over 30 applicants responded. The Mayor and Council went through the interview process and held 11 interviews in one week. There were four finalists. Councilman Visconti advised that he believed the Mayor and Council selected the best candidate for the position. Mayor Szabo commented that Mr. Kunze is a highly qualified candidate.

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

**RESOLUTION 08-68 APPROVE DEVELOPERS AGREEMENT-EDEN OAKLAND**

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

WHEREAS, the Planning Board of the Borough of Oakland adopted a resolution approving a development by Eden Oakland Realty Partners, LLC for property located at the corner of Ramapo Valley Road and West Oakland Avenue and designated by the Borough of Oakland as Block 1707, Lot 2; Block 1706, Lots 1, 2, 3, 4, 5, 7, 8 and an unnumbered parcel; and

WHEREAS, the resolution was conditioned upon the developer entering into a Developer's Agreement with the Borough of Oakland; and

WHEREAS, such Developer's Agreement has been executed by Eden Oakland Realty Partners, LLC, which has been reviewed and approved by the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Mayor and Borough Clerk are hereby authorized to execute the Developer's Agreement with Eden Oakland Realty Partners, LLC.

BE IT FURTHER RESOLVED that appropriate building permits can be issued to this developer upon receipt of a Certificate of Insurance, Certificate of Ownership and various performance guarantees as set forth in the Developer's Agreement.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is authorized and directed to maintain a copy of this Resolution in office of the Borough Clerk, for public inspection, pursuant to law.

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

**RESOLUTION 08-69 APPOINT ACTING CFO**

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

WHEREAS, the Chief Financial Officer of the Borough has tendered his resignation, effective as of March 7, 2008, which was accepted by the Mayor and Council; and

WHEREAS, the Borough requires the services of a Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Raymond Herr, be and is hereby appointed as Acting Chief Financial Officer.

Councilman Pignatelli questioned if this would be at the current salary. Mayor Szabo responded it would be prorated. Councilwoman Marcalus clarified that this is just until the Borough gets someone else to fill the position. Mayor Szabo responded that by law the Borough needs a CFO to sign documents.

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

**RESOLUTION 08-70 CHUCKANUTT WATER MAIN SETTLEMENT**

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

WHEREAS, as a result of alleged negligence on the part of F. Antonucci and Sons, Inc., a water main break occurred on November 3, 2007 at or near 81 Chuckanutt Drive; and

WHEREAS, the Borough required repair work from English Paving and certain services of its Department of Public Works; and

WHEREAS, a claim was made against F. Antonucci and Sons, Inc.; and

WHEREAS, the Borough has been made substantially whole as the result of the proposed settlement of such claim;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Mayor be and he is authorized and directed to execute any and all release documents, with respect to a claim against F. Antonucci and Sons, Inc. and/or Valley Forge Insurance Company, such that the Borough will be paid the sum of \$67,750 with respect to damages occurring from a water main break on November 3, 2007 at or near 81 Chuckanutt Drive; and

BE IT FURTHER RESOLVED, that after those proceeds are received, the Borough does hereby authorize its Treasurer and/or Chief Financial Officer to pay English Paving the sum of \$59,729.50 as per its invoice, for the repairs occasioned by the aforesaid water main break.

Councilman Burns explained that the difference in the monetary sums is because the Borough is being reimbursed for DPW costs.

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

**INTRODUCTION: ORDINANCE NO. 08-CODE-569**

The Clerk was directed to take from table Ordinance No. 08-Code-569 and read by title for its first reading.

The Clerk then read by title Ordinance No. 08-Code-569 entitled: "AN ORDINANCE REVISING BOROUGH CODE 07-CODE-562 TITLED "AN ORDINANCE REVISING, AMENDING, AND RE-ENACTING PARAGRAPHS 1-14 OF ORDINANCE 06-CODE-546 TITLED "THE CODE OF THE BOROUGH OF

OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED  
SALARIES OF MUNICIPAL EMPLOYEES”

Borough Attorney Chewcaskie explained that the benefits provided to all employees including the Borough Administrator are set forth in the salary ordinance. For years, the Borough Administrator was given the benefits of the PBA. The Borough Administrator will now receive the white-collar benefits.

On motion of Councilman Visconti, 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 Revising Borough Code 07-Code-562 Titled "An Ordinance Revising, Amending, And Re-Enacting Paragraphs 1-14 Of Ordinance 06-Code-546 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled Salaries Of Municipal Employees", be introduced;

That said Ordinance be considered for final adoption at a meeting on March 26, 2008 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 March 16, 2008 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, Visconti.

INTRODUCTION: ORDINANCE NO.08-CODE-570

The Clerk was directed to take from table Ordinance No. 08-Code-570 and read by title for its first reading.

The Clerk then read by title Ordinance No. 08-Code-570 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2-7.7 OF THE OAKLAND CODE, ENTITLED "BOARD OF RECREATION COMMISSIONERS", BY ESTABLISHING AN UPDATED SCHEDULE OF ACTIVITIES FEES”

Councilman Burns explained that the fees have been updated to include the cost of certification for coaches. These fees do not include anything for background checks so the fees may have to be amended when the Borough has to redo the background checks.

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 Amending And Supplementing Chapter 2-7.7 Of The Oakland Code, Entitled "Board Of Recreation Commissioners", By Establishing An Updated Schedule Of Activities Fees”, be introduced;

That said Ordinance be considered for final adoption at a meeting on March 26, 2008 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 March 16, 2008 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, Visconti.

**INTRODUCTION: ORDINANCE NO. 08-CODE-571**

The Clerk was directed to take from table Ordinance No.08-Code-571 and read by title for its first reading.

The Clerk then read by title Ordinance No. 08-Code-571 entitled: "AN ORDINANCE REPEALING AND REPLACING CHAPTER 10 SECTION 1.4 (a) OF THE OAKLAND CODE ENTITLED "CONSTRUCTION FEES"

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, : "An Ordinance Repealing And Replacing Chapter 10 Section 1.4 (A) Of The Oakland Code Entitled "Construction Fees", be introduced;

That said Ordinance be considered for final adoption at a meeting on March 26, 2008 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 March 16, 2008 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, Visconti.

**WORK SESSION:**

Councilman Burns had distributed literature regarding the wrongful death statute. Mayor Szabo asked if there was objection to putting a resolution on the next agenda. Councilman Burns commented he asked for this to be put on an agenda because of the concern about insurance.

**COUNCIL LIAISON:**

Councilman Pignatelli: commented that the Borough was lucky not to have flooded during the past weekend with rain. Reverse 911 was put into effect due to the possibility of flooding. However, the County switched to a new vendor and there was a malfunction in the system. He hopes the problems will be corrected.

Councilman Burns: advised that the Shade Commission received preliminary approval for Tree City USA designation. However, Councilman Burns was unable to attend the Shade Tree Commission meeting. He had no report for Recreation.

Councilman Visconti: The Library is looking for help to underwrite the cost of the fundraiser concert they are holding. The Chamber of Commerce gave a donation to the Library. The Council received a report from the Attorney on the library litigation. The report from the Architect is helping our Attorney as expert evidence in the litigation. The Mayor and Council have to think on the next step of the project. The Municipal Alliance is sponsoring a talk on March 27<sup>th</sup> at 7 pm at Indian Hills High School and Jeffrey Bucher will be speaking. Councilwoman Marcalus advised that Mr. Bucher is an excellent speaker.

Councilwoman Marcalus: The Planning Board will meet March 13<sup>th</sup> at 8 pm. The façade for the Lenape Valley Grille will be on the agenda. The DPW advised that the cost for cleaning the March 1<sup>st</sup> storm was \$ 14,260. The year-to-date total for storms is \$ 98,297. On Saturday March 15<sup>th</sup>, the Messiah Lutheran Church is hosting a breakfast for Oakland Seniors which is free but you do need to reserve a seat. On March 19<sup>th</sup>, John Schaus of the Shade Tree Commission will speak at the Senior Center. Councilwoman Marcalus asked Library Director Michele Reutty to come speak to the Seniors about the library. Councilwoman Marcalus advised that Seniors can make appointments for tax help. Councilwoman Marcalus will attend the hearing on the High School budget on March 24<sup>th</sup> at 8:00 pm. The local school board hearing will be held on March 25<sup>th</sup> at 7:30 pm at Valley Middle School. There was a great article in the Suburban News on the K-8 budget.

**BILLS TO BE PAID:**

On motion of Councilman Visconti, 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, Visconti.

**MEETING ADJOURNED:**

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

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

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Lisa M. Duncan, Borough Clerk  
March 26, 2008

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Mayor John P. Szabo, Jr.

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Date Approved