

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MARCH 25, 2009

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilman Visconti, 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, Di Pentima, Marcalus, Visconti.

Discussion ensued over personnel issues and library litigation. Councilwoman Stagg entered at 7:10 pm.

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

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, Di Pentima, Marcalus, Stagg, Visconti. Absent: Councilman Pignatelli. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; James Mangin, Chief Financial Officer; Borough Engineer Steven Busanic.

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.

MAYOR'S REPORT: Mayor Szabo advised that the Green Forum held last night was a great success thanks to Michael Kozak and the other members of the Environmental Commission. It was a very informative program and there was a good turnout. The next step is to form a Green Team. Mayor Szabo advised that the Borough has submitted a request to Verizon to get the proper equipment for a PEG channel. The Borough is going to request funds from Congressman Garrett to use in the downtown. Mayor Szabo advised that Councilman Pignatelli requested that the legislators address the remediation of the river. Congressman Garrett has requested the Army Corps to move forward with the process. It is a long-term process. Mayor Szabo advised that last Thursday, he appeared before the JIF Executive Board with Wyckoff's Mayor Fiorenzo to ask them to amend the bylaw and allow municipalities to negotiate their risk manager fee. Right now the risk manager is entitled to 6% of the municipality's assessment. He explained that the Borough has demanded and budgeted for no increases for its professionals and yet the Borough has no say in the risk manager fee. The bylaw amendment will be presented to all member communities. Three-fourths of the communities must pass a resolution and then the amendment will pass. He is confident that other towns will support this when given the rationale.

OPENED FOR PUBLIC DISCUSSION:

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

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

Roger Marchese, 44 Manito Avenue, thanked the Brotherton Foundation for the grant for the tennis courts.

Michael Kozak, 24 Cayuga, spoke about garbage and recycling. The Environmental Commission is recommending once a week pickup for commingled recycling. He advised that the Borough needs to educate residents about recycling. He spoke about the Board of Health's concern if the Borough goes to once per week garbage pickup. The Board feels if there is once per week pickup, there will be an infestation of flies. He advised that the Environmental Commission members researched this and found nothing to support their issues.

Charles McCormack, 161 Manito Ave., advised the Borough should have a place where residents can bring their recycling if they miss a pickup.

COUNCILMAN PIGNATELLI ENTERED AT 7:52 PM.

Frank Monaco, 60 Thackeray, questioned the Stream House. Mayor Szabo responded that the Borough cannot touch the buildings without a historical study. The Borough didn't want to have to pay for that study so the State and Bergen County are paying for it through grants. This is a requirement of the State. Mr. Monaco would like to know how much money was spent on the Stream House over the years. He feels it is not prudent to spend \$ 80,000 to figure out what to do with that building. He commented that there are 24 foreclosures in Oakland and the Council is spending money on the tennis court project. Councilman Visconti responded that he went to the Sheriff's website and there are four homes up for sale before May 1st. Mr. Monaco commented that the Council has to figure out how to cut taxes and not raise them.

Pat Tirri, 15 Huron Ave., commended the Council on their actions to become a Green Community. He spoke about Project 195 which is made up of members of the community promoting greener living. He wants to work alongside government to promote this issue.

Jack Tauber, 152 Iroquois Ave, commented that the Council had a good start at being green with last night's presentation. He suggested that Project 195 should be included in the Green Team.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Di Pentima, seconded by Councilwoman Stagg, this portion of the meeting be closed to public discussion.

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

APPROVAL OF MINUTES: JANUARY 24, 2009 SPECIAL MEETING

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, the minutes from the special Mayor and Council meeting of January 24, 2009 be approved as amended.

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

PROCLAMATION: AUTISM AWARENESS MONTH

Mayor Szabo read the following proclamation into the record:

WHEREAS, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, autism was once thought to be a relatively rare disorder, affecting only 1 in 1,000 people; and

WHEREAS, as more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 150 children nationally and 1 in 94 in New Jersey; and

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, the New Jersey State Federation of Women's Clubs of GFWC and the Oakland Women's Club join with women's clubs throughout the State of New Jersey and with Autism New Jersey (formerly COSAC) to spearhead an awareness effort in order to educate parents, professionals and the general public about autism and its affects;

THEREFORE, the Mayor and Council of the Borough of Oakland do hereby proclaim April 2009 as AUTISM AWARENESS MONTH in the Borough of Oakland. Further, we do hereby join the dedicated volunteers of the New Jersey State Federation of Women's Clubs of GFWC, the Oakland Women's Club and Autism New Jersey and urge all employees and residents to participate in Autism Awareness month activities, in order to become better educated on the subject of autism spectrum disorders.

RESOLUTION 09-83 AUTHORIZE RECYCLING TONNAGE GRANT

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2009 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Oakland hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Eugene MacMahon to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

RESOLUTION 09-84 AUTHORIZE AGREEMENT L & C

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

WHEREAS, the Borough of Oakland is currently in litigation with Vintage Contracting, concerning the renovations to the Oakland Library; and

WHEREAS, architectural expert testimony is required in order to support the Borough's position in the litigation; and

WHEREAS, L+C Design Consultants PA have been providing architectural services in connection with the library project;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that L+C Design Consultants PA, 333 Meadowlands Parkway, Secaucus, New Jersey 07094 is retained to provide litigation support services, including testimony, reports, meetings, etc. at a cost not to exceed \$7,500.00, as set forth in L+C's proposal to the Borough dated February 13, 2009; and be it further

RESOLVED, that the award of this contract is one for professional services, for which no public bidding is necessary; and be it further

RESOLVED, that the Chief Financial Officer has certified that funds are available in Account #9-01-20-155-028; and be it further

RESOLVED, that the Borough Attorney shall prepare an appropriate agreement with L+C Design Consultants PA, and the Mayor is authorized to execute said agreement on behalf of the Borough; and be it further

RESOLVED, that the Borough Clerk is authorized and directed to maintain a copy of this Resolution and the agreement with L+C, in her offices, for public inspection.

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

RESOLUTION 09-85 LIEN FOR TREE REMOVAL

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

WHEREAS, the Oakland Building and Zoning Office determined that there existed five trees located at 38 Pawnee Avenue, in differing states of danger to public and property; and

WHEREAS, the owner of the premises, Emory Sallo, was notified by the Borough on several occasions respecting the dangerous condition and the need to remove such trees; and

WHEREAS, the Borough was compelled to spend the sum of \$905 to Almstead Tree Service in order to remove the trees; and

WHEREAS, the governing statute and the Borough's ordinance allow the imposition of a lien in the nature of additional taxes in such cases;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the Tax Collector be and is hereby directed to charge, as additional real property taxes, to the owner of the property located at 38 Pawnee Avenue, the sum of \$905, being the balance due on the tree removal bill chargeable to Emory Sallo as of March 12, 2009; and be it further

RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable, in accordance with statutory law, to collect these arrears.

Councilman Pignatelli questioned if anyone reached out to this resident. Mr. Kunze advised this was a court matter. Councilman Burns advised that a warrant was issued for this individual. He advised that Shade Tree actually paid for this tree removal out of their trust account. He asked if the Borough could reimburse Shade Tree. Mayor Szabo responded that the funds collected may have to go to general revenue. The funds can be transferred. Mr. Mangin advised that this will be done in 2010. The funds can be transferred by resolution of the Mayor and Council.

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

RESOLUTION 09-86 AUTHORIZE REFUND TAX OVERPAYMENT

On motion of Councilman Di Pentima, seconded by Councilwoman Marcalus, 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 a tax overpayment due to the receipt of the taxpayers' State of New Jersey property tax rebate; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland does hereby authorize a refund of \$ 1,031.58 to Maryam Kassai & Ronald G. Robinson, owners of 189 Franklin Avenue, Block 4303, Lot 37.

Councilman Di Pentima advised this resident's rebate came to the Borough by mistake and the Borough needs to reimburse the money back.

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

RESOLUTION 09-87 AUTHORIZE REDUCTION IN LETTER OF CREDIT

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

WHEREAS, Eden Oakland, LLC posted a performance bond by way of Letter of Credit No. 095192080011 with the Borough of Oakland; and

WHEREAS, the aforementioned guarantees were posted in connection with on site improvements for the premises known as Block 1706, Lots 1.01, 2.01, 3.01 and 4.01 and Block 2316, Lot 2; and

WHEREAS, a substantial amount of site work has been completed by Eden Oakland, LLC and same has been inspected and approved by the Borough Engineer, Boswell McClave Engineering; and

WHEREAS, Eden Oakland, LLC has requested a reduction in the performance bond; and

WHEREAS, the Mayor and Council of the Borough of Oakland has reviewed the recommendation of Boswell McClave Engineering dated March 13, 2009, and have determined that the site improvements for the project have been sufficiently completed to warrant a reduction in the bond from \$1,854,000 to \$ 397,200.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland as follows:

1. The site improvements required by that certain Developer's Agreement with Eden Oakland, LLC at the property located at Block 1706, Lots 1.01, 2.01, 3.01 and 4.01 and Block 2316, Lot 2 have been sufficiently completed to warrant a reduction of the Letter of Credit No. 095192080011 from \$ 1,854,000 to \$ 397,200.
2. The Chief Financial Officer of the Borough of Oakland is hereby authorized to accept an amendment to the Letter of Credit to reflect the amount of \$397,200.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to (i) the Chief Financial Officer of the Borough of Oakland; (ii) the Construction Code Official of the Borough of Oakland; (iii) Eden Oakland, LLC; (iv) Brian M. Chewcaskie, Borough Attorney.

Councilman Visconti questioned if this should be held until after the discussion on the detention basin. Mayor Szabo responded that it is a separate issue. They are entitled to a reduction of the bond because they have substantially completed improvements.

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

RESOLUTION 09-88 AUTHORIZE CONSUMER CONFIDENCE REPORT

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

WHEREAS, the U.S. Environmental Protection Agency (EPA) requires the Community Water Systems prepare and provide to their customers an annual Consumer Confidence Report; and

WHEREAS, in accordance with the regulations, the report must be issued before July 1st of each year; and

WHEREAS, Crew Engineers Inc. will prepare the Year 2008 Consumer Confidence Report in accordance with these regulatory requirements at a cost not to exceed \$ 3,000 as stated in their proposal; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Account # 9-05-55-502-021.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby accepts the proposal of Crew Engineers Inc. and authorizes the Borough Administrator to issue a Purchase Order in an amount not to exceed \$ 3,000 for the services specified in the proposal.

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

RESOLUTION 09-89 TRANSFERS TO 2008 BUDGET

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

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Fiscal 2008 budget of the Borough of Oakland; and

WHEREAS, there exist certain reserve budget expenditures with funds available in excess of the amounts approved in the Fiscal 2008 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such reserve funds during the first three months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, based on the recommendation of the Chief Financial Officer, that the following transfers be made to the 2008 Current Fund reserves:

Current Fund

Account #	Description	From	To
8-01-20-100-020	Administration – Postage	\$1,500	
8-01-20-100-042	Administration – Prof Development	\$2,000	
8-01-20-105-042	Comm. Cmtee – Prof Development	\$1,000	
8-01-20-110-042	Mayor & Council – Prof Development	\$2,000	
8-01-20-110-044	Mayor & Council – Professional / Contracted Services	\$1,000	
8-01-20-121-100	Elections – Miscellaneous	\$2,000	
8-01-20-130-012	Finance – Salaries – Part Time	\$1,000	
8-01-20-145-021	Tax Collector – Legal Notices	\$500	
8-01-20-145-058	Tax Collector – Equipment	\$500	
8-01-20-150-029	Tax Assessment – Contracted Services	\$1,500	
8-01-20-150-104	Tax Assessment – Tax Maps	\$1,500	
8-01-20-165-100	Engineering – Miscellaneous	\$2,000	
8-01-21-180-107	Planning Bd. – Planning Assistance	\$500	
8-01-21-180-109	Planning Bd. – Master Plan	\$1,500	
8-01-22-195-036	Construction – Office Supplies	\$1,000	
8-01-23-210-000	Insurance – General Liability	\$4,500	
8-01-23-210-004	Insurance – Prescription Plan	\$5,000	
8-01-25-240-019	Police – Court Appearance	\$4,000	
8-01-25-240-026	Police – Equipment Maintenance	\$2,000	
8-01-25-240-040	Police – Professional Development	\$1,000	
8-01-25-250-103	Emer Mgmt – 911 System Contract	\$1,500	

8-01-25-252-026	Emer Mgmt – Equipment Maintenance	\$2,500
8-01-25-275-011	Prosecutor – Salaries	\$2,500
8-01-26-290-014	Streets & Roads – Overtime	\$2,000
8-01-26-290-028	Streets & Roads – Purchased Services	\$5,000
8-01-26-290-036	Streets & Roads – Office Supplies	\$500
8-01-26-300-029	Shade Tree – Contracted Services	\$1,000
8-01-26-300-036	Shade Tree – Office Supplies	\$300
8-01-26-310-072	Buildings & Grounds – Water	\$5,000
8-01-28-371-026	Recreation – Tennis Monitors	\$2,000
8-01-28-370-149	Recreation – Golf	\$1,500
8-01-28-371-026	Senior Citizen – Maintenance	\$1,500
8-01-31-440-001	Telephone	\$3,000
8-01-31-460-001	Gasoline	<u>\$4,300</u>
Sub-total		\$68,600

Current Fund

Account #	Description	From	To
8-01-20-130-029	Finance – ADP Services		\$500
8-01-20-155-028	Legal – General		\$21,000
8-01-25-265-026	Fire – Equipment Maintenance		\$5,000
8-01-27-331-000	Bd. Of Health – Visiting Nurses		\$600
8-01-31-430-001	Electricity		\$38,000
8-01-31-435-000	Street Lighting		<u>\$3,500</u>
Sub-total			\$68,600

Water Operating Fund

Account #	Description	From	To
8-05-55-509-006	Insurance – Prescription Plan	<u>\$1,300</u>	
Sub-total		\$1,300	
8-05-55-509-002	Insurance – Other Insurance		<u>\$1,300</u>
Sub-total			\$1,300

Sewer Operating Fund

Account #	Description	From	To
8-07-55-509-003	Insurance – Disability	\$4,000	
8-07-55-509-006	Insurance – Prescription Plan	<u>\$500</u>	
Sub-total		\$4,500	

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

RESOLUTION 09-92 AUTHORIZE GRANT SUBMITTAL-DOWNTOWN STREETSCAPE

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

WHEREAS, the Borough of Oakland desires to improve the physical condition of its downtown area as part of an overall initiative to revitalize its downtown; and

WHEREAS, the Borough requires financial assistance to realize its vision for the downtown and there may be federal funding available for this work;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize the Borough Administrator to submit a local project funding request application to Congressman Scott Garrett's office for downtown streetscape improvements.

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

RESOLUTION 09-93 AUTHORIZE AGREEMENT-OAK CREST CONDO ASSOCIATION

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

WHEREAS, Oak Crest Condominium Association has requested municipal services for its snow removal and street lighting, pursuant to the provisions of N.J.S.A. 40:67-23.2; and

WHEREAS, the Administrator and the Department of Public Works have reviewed the costs involved for such reimbursement; and

WHEREAS, the Condominium Association has agreed to be reimbursed at the Borough's cost of snow removal and street lighting;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Mayor is authorized to execute the attached Agreement by and between the Borough and Oak Crest Condominium Association, providing for a five year payment agreement for snow removal and street lighting; and be it further

RESOLVED that the total yearly cost to the Borough, to be paid to the Condominium Association for reimbursement for these services is \$1,400; and be it further

RESOLVED that the Chief Financial Officer has or will certify the existence of the current funds for the payment set forth above; and be it further

RESOLVED that the Agreement is retroactive to January 1, 2009; and be it further

RESOLVED that a copy of the Agreement shall be maintained by the Borough Clerk in her offices, for public inspection.

Mayor Szabo advised this is pursuant to the Kelly Bill. The municipality is required by law to reimburse Associations for certain municipal expenses such as street lighting and snow plowing

because they pay taxes for those services. Councilman Visconti explained how the costs were determined.

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

RESOLUTION 09-94 AUTHORIZE RETURN OF BONDS-MANZO ORGANIZATION

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

WHEREAS, Manzo Organization, LLC posted two performance guaranties with the Borough of Oakland, one being a Performance Surety Bond No. 0445940 as a performance guaranty for the improvements and one being a Subdivision Improvements Performance Bond No. 0445934 as a performance guaranty for soil movement, as well as a cash performance guaranty in the amount of \$33,120.00; and

WHEREAS, the aforementioned guarantees were posted in connection with on site improvements for the premises formerly known as Block 3404.01, Lots 5 and 5.01 aka Block 4002, Lot 2; and

WHEREAS, all site work has been completed by Manzo Organization, LLC, with the exception of the planting of thirteen trees and same has been inspected and approved by the Borough Engineer, Boswell McClave Engineering; and

WHEREAS, Manzo Organization, LLC has requested a release of the performance guaranties; and

WHEREAS, the Mayor and Council of the Borough of Oakland has reviewed the recommendation of Boswell McClave Engineering dated March 17, 2009, and have determined that the site improvements for the project have been completed and the performance bonds can be released at this time and \$23,120.00 of the cash portion of the performance guaranty can be released, retaining \$10,000.00 for the planting of the trees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland as follows:

1. The site improvements required by that certain Developer's Agreement with Manzo Organization, LLC at the property located at Block 3404.01, Lots 5 and 5.01 aka Block 4002, Lot 2 have been completed and the performance guaranties, Performance Surety Bond No. 0445940 as a performance guaranty for the improvements and one being a Subdivision Improvements Performance Bond No. 0445934 as a performance guaranty for soil movement can be released.
2. The only outstanding condition is the planting of thirteen trees, which will be done when the weather permits. To that end, the cash portion of the performance guaranty will not be released in its entirety at this time, but only \$23,120.00. The additional \$10,000.00 will be held until such time as all the trees have been planted.
3. The release of the balance of the cash portion of the performance guaranty and the performance bonds shall be contingent upon the developer posting a maintenance guaranty in the amount of \$41,400.00.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to: (i) the Chief Financial Officer of the Borough of Oakland; (ii) the Construction Code Official of the Borough of Oakland; (iii) Manzo Organization, LLC ; (iv) Brian M. Chewcaskie, Borough Attorney.

Mayor Szabo explained that the Borough is holding \$ 10,000 for planting trees as stipulated in the site plan. The Manzo organization is working with the DOT to replace those trees which were not Borough trees. The Manzo Organization would be required to submit a maintenance guaranty. Councilman Burns questioned if Shade Tree was consulted to determine if \$ 10,000 is adequate. If they were not consulted, he would like to table the resolution for their input. Mayor Szabo commented it costs between \$ 250 and \$ 500 to plant trees. The \$ 10,000 being held is more than enough. Mr. Chewcaskie advised that the maintenance guaranty would cover the cost of the trees and the maintenance for two years.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Stagg, Visconti.
Abstain, Councilman Pignatelli.

RESOLUTION 09-95 AMEND TEMPORARY BUDGET

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

WHEREAS, NJSA40A:4-20 of the Local Budget Law provides that in addition to temporary appropriations necessary for the period prior to the adoption of the budget, the governing body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the adoption of the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, based on the recommendation of the Chief Financial Officer, that the following emergency temporary appropriations be made and that a certified copy of this resolution be filed with the Director of the Division of Local Government Services:

Current Fund

Account #	Description	Appropriation
9-01-20-130-029	Finance – ADP Services	\$6,000
9-01-20-150-011	Tax Assessment – Perm Full Time	\$18,000
9-01-20-150-012	Tax Assessment – Perm Part Time	\$13,000
9-01-21-180-011	Planning Bd. – Perm Full Time	\$7,500
9-01-21-185-012	Bd of Adj – Perm Part Time	\$3,500
9-01-22-195-011	Construction – Perm Full Time	\$10,000
9-01-23-210-000	Insurance – General Liability	\$226,668
9-01-25-240-010	Police – Perm Full Time	\$837,000
9-01-25-240-017	Police – Unused Vacation	\$75,000
9-01-25-240-043	Police – Clothing Allowance	\$35,000
9-01-26-290-011	Streets & Roads – Perm Full Time	\$170,000
9-01-26-290-028	Streets & Roads – Street Sweeping	\$17,575
9-01-26-305-078	Garbage & Trash – Contract	\$150,000
9-01-26-305-081	Garbage & Trash – Recycling	\$100,000

9-01-27-330-011	Bd of Health – Perm Full Time	\$15,000
9-01-27-330-150	Bd of Health – Health Clinics	\$5,000
9-01-28-371-123	Sr Citizens – Programs	\$15,000
9-01-29-390-011	Library – Perm Full Time	\$112,000
9-01-36-472-000	Social Security	\$130,000

Water Operating Fund

Account #	Description	Appropriation
9-05-55-501-011	Water – Perm Full Time	\$120,000
9-05-55-502-022	Water – Postage	\$15,000
9-05-55-502-025	Water – Maintenance	\$50,000
9-05-55-541-000	Water – Social Security	\$15,000

Sewer Operating Fund

Account #	Description	Appropriation
9-07-55-501-011	Sewer – Perm Full Time	\$8,000
9-07-55-501-025	Sewer – Maintenance	\$10,000
9-07-55-542-000	Sewer – Social Security	\$5,000

Councilman Di Pentima explained that this adds money to the temporary budget. All line items are included in the final budget. This allows the Borough to keep operating until the budget is finally adopted. Councilman Burns questioned if totals should be in the resolution. Mr. Mangin responded they should not. Mr. Mangin advised this amends the temporary budget for one month. If we don't have a budget in a month, we will need to do another amendment to the temporary budget.

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

RESOLUTION 09-96 READ BUDGET BY TITLE

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

WHEREAS, N.J.S.A. 40A:408 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the 2009 Municipal Budget of the Borough of Oakland, County of Bergen, shall be read by title only.

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

RESOLUTION 09-97 SELF-EXAMINATION OF BUDGET

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

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the director of the division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Oakland has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Oakland that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Councilman Di Pentima explained that the Borough is allowed to self-examine the budget this year. The CFO will certify to the State that everything included in the budget complies with statute. The State will review the budget but not as thoroughly.

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

RESOLUTION 09-98 INTRODUCTION OF BUDGET

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

(see attached)

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

Councilman Di Pentima advised that the Council is working on the budget. These are not the final numbers. The municipal appropriations are up \$ 51,000 which is 3/10% over 2008. He advised that the budget currently calls for a \$ 112 increase in taxes and it is a \$ 2.4 tax point increase. The municipal rate is a 2.2 cent increase over the last rate. Municipal revenues decreased by \$ 572,000 and the majority of that is loss of interest income. The interest rate a year and a half ago was 4% and now it is .1%. There was a loss in State Aid of \$ 42,000. The State could come back for more cuts.

On the expense side, the budget is up \$ 51,000. The salary and wages budget is up \$ 288,000 which includes retirement payouts totaling \$ 216,000. The Borough has managed to contain health costs because of changes to the hospital network and health costs are down \$ 109,000. Garbage costs are down. Pension contributions have decreased by \$ 38,000. There has been a budgeted increase to the legal budget of \$ 75,000 due to library litigation. There were reductions in property and casualty.

Councilman Di Pentima advised that debt service is up \$ 119,000 and Public Library has increased by \$ 36,000. The capital improvement fund has increased to \$ 120,000 from \$ 100,000. Grants are down at this point. The deferred charges are down \$ 34,000 because we have almost fully paid for the revaluation. There is a slight increase in reserve for uncollected taxes which is based on the actual collection rate.

Councilman Di Pentima explained there has been a continuing trend toward stabilization since the increase has come down each year. He explained that while almost every municipality is talking about furloughs or layoffs, Oakland has not had to do that. The employees are not to blame for the economic condition. The contracts for professionals were held to the same price as last year. The Borough actually reduced the cost of health contracts.

Councilman Di Pentima explained that he challenged the Council to wean off of using surplus revenues. He is going to work toward reducing using surplus revenue. The total increase of cap expenses is 1.2%. The total increase is 4.9%. It is over the cap levy of 4 % because certain costs such as debt service, deferred charges and grants are outside the cap.

Councilman Di Pentima advised that there is a lot more work to be done on the budget. The Council is meeting with Department Heads on Saturday to see what other cuts can be made. He is proud of the fact that because there were fiscal policies enacted in the past few years, Oakland is not in as bad a position as other municipalities.

Councilman Visconti advised if the Borough were to cut employees and cut hours, that would equal a cut in services that are provided to the community. The Borough did not have to do that at this time. Councilman Di Pentima thanked the Administrator and CFO for all their efforts.

Mayor Szabo explained that the Mayor and Council rejected the pension deferral that the State has passed. We do not want to take the deferral. The State had subsidized pension payments in the past and then all of a sudden demanded the money from the municipalities. This budget takes into account a full pension payment. Councilman Di Pentima explained that the pension deferral would get added on in three years. The Borough is finally fully funded and doesn't want to begin that process again. He is proud that the Borough is taking prudent steps financially. The Mayor and Council are trying to stabilize the rate.

INTRODUCTION: ORDINANCE NO. 09-CODE-591

The Clerk was directed to take from table Ordinance No.09-Code-591 and read by title for its first reading.

The Clerk then read by title Ordinance No. 09-Code-591 entitled: "AN ORDINANCE AMENDING OAKLAND ORDINANCE CODE 2-7.7 ENTITLED "BOARD OF RECREATION COMMISSIONERS"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending Oakland Ordinance Code 2-7.7 Entitled "Board Of Recreation Commissioners", be introduced;

That said Ordinance be considered for final adoption at a meeting on April 22, 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 April 15, 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.

Councilman Burns commented that the wording seemed to be such that all the Rec Commission does is recommend the fees. There should be an agreement between the Mayor and Council and the Rec Commission. Councilman Di Pentima commented that the Rec Commission does a great job as volunteers running the programs. However, sometimes they don't see the costs of the programs. The law gives the Governing Body the power to set fees. Councilman Burns commented that the Governing Body can take powers away from people. There had been talk about the Rec programs should be self-sustaining. This is taking power away from the Rec Commission. There was discussion about wording changes. Mayor Szabo understands Councilman Burns' concerns. Councilman Di Pentima commented that there is no alleged grab of power. There had been a belief that the Rec Commission had the sole power to set fees. What happens if the fees set are too low. The Mayor and Council have fiduciary power. No one has

ever discussed not subsidizing the Rec programs. There were more suggestions on wording. Mayor Szabo suggested introducing the ordinance and listing it on work session next meeting to discuss the wording.

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

WORK SESSION:

EDEN OAKLAND DETENTION BASIN

Mayor Szabo explained that the developer requested that the Borough take over a detention basin. We have received an estimate of costs to maintain from the Engineer. Councilwoman Stagg commented she did not want to take it because it could end up to be like the sewer plants. The State keeps tweaking the rules and making it tougher. Councilman Visconti commented that CAM fees could be distributed among the office building and shopping center. Councilman Burns commented that maybe the Borough could contract services to maintain it for them. Borough Engineer Steven Busanic advised that Eden had a stormwater plan that was approved in their site plan. It outlines a maintenance procedure. Councilman Burns suggested that maybe the DPW could contract to do the work for them like the contract with the County for snowplowing. However, he is not in favor of taking the detention basin over. Mr. Busanic advised he did not take into account the cost of any liability insurance. Councilman Di Pentima does not think the Borough should take the detention basin because there is no advantage. Councilman Pignatelli agreed. Mayor Szabo asked Mr. Kunze to advise Eden Oakland.

PROFESSIONAL SERVICE AGREEMENTS:

Mr. Kunze advised there are two contracts for Burgis Associates. One is for the initial assessment grant and one is for the plan conformance grant for \$ 50,000. Mr. Kunze recommended that the initial contract for the plan conformance be for an amount not to exceed \$ 50,000. If we need additional funds, we could request more from the Highlands Council. The resolutions will be listed on the next agenda.

LIBRARY FUNDING:

Mayor Szabo advised that the issue is the budget. The WOLF cooperative is requesting that the respective Governing Bodies consider challenging legislation for the Library funding. Councilman Visconti voiced his objection that property values are used to fund the Library. The 1/3 mil is based on property value. Between 1987 and 2004, the 1/3 mil was based on the 1987 valuations. The Council was generous enough to fund the Library beyond that amount. Councilman Visconti is recommending the Library be funded differently. He read the wording he is suggesting for the resolution. He thinks it is unrealistic to cut the Library funding by 50%. That would mean the Library would have to run on \$ 450,000.

Councilman Burns responded that the resolution that is being considered is not specific to the Borough like the one Councilman Visconti suggested. It is telling the State that they need to come up with a new funding formula. To urge the State to change the Statute with figures that apply only to the Borough of Oakland doesn't make sense. Councilman Di Pentima commented that this is similar to the resolution the Council passed urging the State to change the laws on arbitration. Councilman Visconti commented that the problem is funding via property value. He advised that the school funding formula is universal. Councilman Di Pentima suggested that the Council could pass the resolution that Wyckoff suggested and then the Council could create its own resolution. Councilman Visconti questioned if the Council passes a resolution that endorses 1/6 mil, then how could they pass another with a different funding source? Councilman

Di Pentima responded that the 1/6 mil is to start discussion in Trenton. Councilman Burns commented that the wording Councilman Di Pentima added gives additional guidance. Every community should evaluate requirements on its own. The funding should not be based on assessed value but that is how it is.

Councilwoman Stagg suggested that maybe the resolution should say the funding should be based on per capita instead of assessed value. Councilman Di Pentima advised if the Council doesn't do something to engage the State in conversation, there will be no conversation. Councilman Visconti commented that taking the minimum and maximum out of play is fair. Councilman Di Pentima has no confidence that Trenton will set a fair rate. Mayor Szabo commented that the Council could choose not to do anything or it could vote on the resolution suggested by Wyckoff.

RESOLUTION 09-91 LIBRARY FUNDING

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

WHEREAS, N.J.S.A.40:54-8 requires the Governing Body of every municipality which is governed by the law concerning free public libraries to annually appropriate, and raise by taxation, an amount equal to one third of a mill on every dollar of assessable property within the municipality, based on the equalization valuation of such property; and

WHEREAS, this law was first enacted in 1944 and has only been amended once, that being 1985; and

WHEREAS, the last amendment was over 23 years ago, and the initial law is now 64 years old; and

WHEREAS, the equalized value of property within New Jersey in 1944, as well as in 1985, was substantially less than the equalized value of property today, considering the rate of inflation and the boom in real estate market in the mid-to-late 80's and again in the early-to-mid 2000's; and

WHEREAS, though the equalized values of real estate have increased many times over-perhaps as much as 50 times the equalized values in 1944, and as much as two or three-fold since 1985-the state still (40:54-8) has not changed the fractional obligation of each municipality to contribute toward its free public library; and

WHEREAS, the amount each municipality is required to contribute under the current statute far exceeds the reasonable needs and requirements of the free public libraries in the municipalities governed by this law.

NOW, THEREFORE, BE IT RESOLVED the Borough of Oakland hereby urges the Legislature to revise the statutory requirements, in order to reduce the mandated financial obligation on the municipalities and their taxpayers under 40:54-8; and

BE IT FURTHER RESOLVED that the Borough of Oakland urges that the N.J.S.A. 40:54-8 be amended to read as follows:

“The governing body or appropriate board of every municipality governed by this article shall annually appropriate and raise by taxation an amount of not less than one-sixth of a mill on every

dollar of assessable property within such municipality based on the equalized valuation of such property as certified by the Director of the Division of Taxation in the Department of Treasury. Nothing herein shall prevent the municipality from appropriating a greater amount where the governing body, in its discretion, determines that such amount is appropriate. In no case shall the governing body appropriate an amount that would exceed any municipal tax cap levy in effect for this municipality; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Senator Kevin O'Toole, Assemblyman David Russo, Assemblyman Scott Rumana, New Jersey State League of Municipalities and the Governor of the State of New Jersey.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg.
Nay, Councilman Visconti.

GARBAGE AND RECYCLING BID:

Mr. Kunze advised that the Borough received three bids. The bid sought annual pricing for five years and also bid three different options for solid waste. The Borough received favorable pricing on solid waste collection. There was a slight rise in recycling. One decision the Council needs to make is what level of service to move forward with. The hybrid of 2x per week pickup for six months and 1x per week pickup for six months yields a 6% savings over five years or \$ 130,000. The 1x per week pickup saves \$ 271,000 over five years which is a 12.6% reduction. The next decision to make is the length of contract. The Borough can enter into a contract for between one and five years.

Councilwoman Marcalus asked if Mr. Kunze took into account the changing recycling structure. Mr. Kunze responded that the bid specs did take that into account. He figured there would be less garbage generated but we didn't know when the bids went out that it would generate so much more commingled. He thinks the Borough Attorney could give information on the flexibility to change the schedule. Councilwoman Marcalus asked if it would be realistic to go with a five year contract with the increased efforts in recycling. Mr. Kunze advised that the bidders were put on notice for the right to rebid or negotiate if the Borough decides to go with single stream recycling. Councilman Burns commented he is pleased with the bids. It is good to see that it is not until the fourth year of the contract that the Borough would be paying the same price we are paying now.

Councilman Visconti commented that he knows the Borough has a good revenue stream with recycling. Does that change with this contract. Mr. Kunze advised that is a separate contract. It has been changed so the contractor won't get the money from metal recycling but instead gives that money to the Borough. Councilman Burns commented that the price of paper has gone down considerably. Mr. Kunze responded that at the peak, paper was getting \$ 130 per ton. Within three months, it went to nothing. The Borough negotiated a contract for \$ 60 per ton and we are still getting that amount.

Councilman Di Pentima questioned the Health Department's recommendation of keeping 2x per week pickup. Councilman Pignatelli commented that the Health Department looked at a study of the life cycle of flies and about the spread of harmful bacteria. He doesn't think that the Board realized there would be a reduction in garbage with the increased recycling. Mayor Szabo commented that if people really recycle the way they should, the Borough could do 1x per week pickup.

Councilman Di Pentima commented that the current budget assumes a 1x per week pickup for the winter months. If the Council decides to go with 1x per week collection, it would be more

advantageous to go with a five-year contract. Mayor Szabo responded at this point, the Council has to act on what was bid out because otherwise this would have to be rebid. If the Borough changes the terms midstream, there could be a lawsuit. Mayor Szabo commented that based on where we want to move as a community, he wants to move toward 1x per week pickup. It saves money and reduced waste reduces tipping fees.

Mr. Kunze asked the Attorney if we award the contract and need 1x per week commingled pickup down the road, what option does the Governing Body have to modify the contract. Mr. Chewcaskie responded it would be difficult. The Borough needs to follow the guidelines of the contract. If modifications are made, the Borough is subject to litigation. Councilwoman Stagg questioned what the difference would be if the Borough had 2x per week garbage and 1x per week recycling or if it were 2x per week recycling and 1x per week garbage. Councilman Di Pentima commented if the Council is worried about changing the contract, then the Council may only want to do a two-year contract. Councilman Di Pentima advised if the Council goes with the hybrid, he would recommend a three-year contract. If the Council goes with 1x per week pickup, he would recommend a four-year contract.

Mayor Szabo recommended a three-year contract at 1x per week pickup. Mr. Kunze advised that the collection of plastics 3 through 7 will reduce the amount of garbage. The Borough will probably not see a huge reduction of tipping fees because there is not a lot of weight in those plastics. He recommended the hybrid for the first years and then 1x per week pickup for the out years. Mr. Chewcaskie responded that he does not know if that was the way this was bid. There would have to be specific language in the bid specs to be able to change mid-contract.

Councilman Pignatelli commented that he thinks there needs to be a break-in period for residents. He recommended going with the hybrid for a three-year contract. Councilman Burns is concerned about 1x per week pickup in the summer because of the smell of garbage. He is not in favor of immediately going with 1x per week pickup although that is the biggest savings. He is not in favor of going to 1x per week until people are accustomed to it. Councilwoman Stagg responded she is in favor of 1x per week pickup. The Borough will save money and residents will get used to it.

Mayor Szabo commented that the budget anticipates choosing the hybrid. He asked when a decision has to be made. Mr. Kunze responded that the contract ends at the end of the month. Suburban will do pickup on a monthly basis until the contract is awarded. Mayor Szabo wants the Attorney to look over the bid documents. Mr. Chewcaskie commented he needs to look at the specific language. Mr. Kunze questioned what the preferred option is. Councilman Di Pentima and Councilman Pignatelli chose the hybrid for three years. Councilman Burns chose the hybrid for five years. Councilwoman Stagg, Councilman Visconti and Councilwoman Marcalus chose 1x per week pickup for three or four years. Mayor Szabo chooses 1x per week pickup .

This will be carried to the April 7th work session agenda. There will be a vote on April 22nd.

SUSTAINABLE JERSEY GRANTS:

Mr. Kunze advised there are grants available for the Borough once we gain certification.

COUNCIL REPORTS:

Councilwoman Marcalus: The K-8 school budget will be presented to the public on April 6 or 7th at 7 pm at the Valley Middle School. The Regional school budget will be presented on Thursday April 2nd at 7 pm at Ramapo High School. The budget presentations will be on the school websites. The Planning Board meets on April 9th at 7:30 pm at the Senior Center.

Councilman Visconti: He welcomed the Oakland Mini Mart to town. The Library has a DVD copy of the Green Forum meeting held last night. He advised that a wattage meter donated by Mike Kozak will be available next month at the Library. There is a fund in memory of children's librarian Pat Turnier.

Councilwoman Stagg: She congratulated the Environmental Commission, Mayor Szabo and the Communications Commission on the Green Forum.

Mayor Szabo thanked the OCC and commented that they did a spectacular job filming the Green Forum.

Councilman Burns: He advised that the Shade Tree Commission meets the first Monday of the month. Recreation Chairman Steve Wagoner has indicated that the Brotherton Trust has awarded a \$ 40,000 grant to the Borough for the tennis court project. Summer Camp registration is underway. He thanked the Potash family for their renovations to Field 2. This is the sixth field in five years that they have redone. Councilman Burns advised that one of the Recreation coaches, Rich Becker, passed away and offered condolences.

Councilman Di Pentima: He advised that the Easter Egg Hunt will be held on April 4th at 11:00 am at the Danny D'Elia Building.

Councilman Pignatelli: He commented that the Board of Health feels the garbage should be picked up 2x per month during the summer. The 2009 vision and hearing screening will be held on May 13th from 9:30 am to 2:30 pm. The flu clinic has been set for Wednesday November 4th.

Councilman Burns commented that any change made to the garbage contract is an impact on the residents. The Borough should make an effort to get the info to the residents. He suggested using reverse 911. Mayor Szabo responded he will work out a public info plan with Mr. Kunze.

Councilman Pignatelli advised there will be a blood drive on April 21st from 3:30 pm to 7:00 pm at the Senior Center. The Borough is compiling a list of people with a physical handicap in case of emergency.

Councilman Visconti advised that the Chamber of Commerce will hold a business card exchange at Timbers.

BILLS TO BE PAID:

On motion of Councilman Di Pentima, seconded by Councilwoman Stagg, 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, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilman Di Pentima, seconded by Councilwoman Stagg, the meeting be adjourned at 10:37 pm.

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

Lisa M. Duncan, Borough Clerk
April 7, 2009

Mayor John P. Szabo, Jr.

Date Approved