

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 28, 2008

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, 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:
Negotiations, 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, Pignatelli, Stagg.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Szabo at 8:03 pm.

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

MAYOR'S REPORT: Mayor Szabo advised he attended the Memorial Day Parade and was pleased at how well-attended the ceremony was. This is of importance to our country and Mayor Szabo was honored to have been a part of it.

OPENED FOR PUBLIC DISCUSSION:

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

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

Charles Page, 57 Academy Circle, questioned the sale of property and the bid amount. Mr. Chewcaskie advised that the Borough Tax Assessor provided the amount that he thought the properties were valued at according to the market. There is no official assessment because the properties are exempt. Prior to the auction, the Tax Assessor was asked his opinion as to the value in order to set the minimum price of the bid. Mr. Page commented that the properties are on the books at inflated prices. Mr. Chewcaskie advised those properties are not on the books because they are exempt. There may be a value assigned but the properties are exempt. Mayor Szabo responded that the price given is based upon market value. Mr. Page questioned why two lots would have the same block and lot number. He commented that a friend of his has the same block and lot as one of the properties for sale. Mayor Szabo commented that would be impossible since the tax maps have to be certified by the State. However, he will have the Tax Assessor investigate.

Pat Tirri, 15 Huron Ave, questioned how a bill gets paid. Mayor Szabo explained the purchasing procedure. Mr. Tirri questioned who signs the vouchers and questioned if the bond payment would be on a bill list. Borough Administrator Kunze responded it should show up on the bill list as a bill already paid. Mr. Tirri questioned who signs checks and who signs wire transfers.

Lori Dent, 26 Thackeray Road, questioned what money was used to pay the \$ 3.8 million BAN payment. Mayor Szabo explained that the money to pay the BANs came from the capital fund. The Borough is replenishing the capital fund with surplus money. Ms. Dent questioned what amount is left in surplus. Mayor Szabo responded that although he did not have the exact figure, he believed it was around \$ 500,000 remaining in surplus. Councilman Visconti responded that the Mayor and Council are trying to find ways to replenish the money such as the sale of

property. They are also trying to find old capital projects that can be cancelled. Councilman Visconti reassured Ms. Dent that the Borough is not in a cash crisis. Mayor Szabo responded that the \$ 3.8 million was going to be paid by the taxpayers no matter what. The fact is that it was paid all at once using money that should not have been used. However, the Department of Community Affairs has given permission to spread the payments over five years. The Borough Administrator is going through old capital ordinances to see what can be cancelled. This is an internal issue that will be handled. Mayor Szabo advised that there are controls in place now to ensure this cannot happen again. Ms. Dent spoke about the tax increase last year due to the tax anticipation notes that were issued. Councilman Visconti explained that the Borough actually earned more interest from investing funds from the TAN's than what was paid out in fees. Ms. Dent questioned the property being sold. Councilman Visconti advised the Borough is selling properties that used to have water tanks on them.

Frank Monaco, 60 Thackeray, commented that if the Prosecutor has released information on the \$ 3.8 million issue, the information should be public. Mayor Szabo responded the Borough is taking its own action. Mr. Monaco questioned prices on the properties for sale. Mayor Szabo explained that our Tax Assessor, who is certified by the State, is also an appraiser. He is the best one to determine the value of the property according to market value. The Tax Assessor gave the figures to the Council. He knows the Borough wants to get the maximum value for the property. Mr. Monaco commented that settlements of tax appeals in the Industrial Park gave away too much for the Borough.

David Skoblar, 87 Yawpo Avenue, questioned when the BAN payment was made. Mayor Szabo advised the payment was made in May 2007. Mr. Skoblar commented he is trying to figure out how \$ 3.8 million was paid without approval. He questioned when the audit is done. Councilman Visconti responded that the audit is done the January of the following year. Mr. Skoblar questioned why the Mayor and Council found out about this in June if the audit was done in January. Mayor Szabo explained that the audit begins in January and takes several months to complete. Mr. Skoblar questioned money in accounts.

Charlie McCormack, 161 Manito Ave., questioned if the Borough needs to sell the property now. He questioned if we can wait for a better market. Mayor Szabo responded that the Council will reach out to a broker now. The Council feels it is prudent to dispose of surplus property.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: SPECIAL MEETING MAY 13, 2008

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, the minutes from the Special Mayor and Council meeting of May 13, 2008 be approved as amended on page 4.

ROLL CALL: Yeas, Councilmembers Burns, Marcalus, Pignatelli, Visconti.
Abstain, Councilwoman Stagg.

APPROVE SIGN REQUEST-INDIAN HILLS CLASS 2009

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, approval be granted to Indian Hills High School Class of 2009 to hang a banner and signs for their 3rd annual car show.

Discussion ensued. Councilwoman Marcalus commented that Flow Follies didn't pick up their signs after the event. Mr. Chewcaskie commented that the Council could approve the request and indicate that all items must be removed with a date certain. Mayor Szabo commented he is concerned about posting signs and advised the signs should not be on telephone poles and in the right-of-way. At a minimum the signs need to be picked up within 48 hours and should not be placed on telephone poles. Councilman Visconti asked if we can organize central sites to place signs. Mayor Szabo responded that one site the Council encourages organizations to place signs on is the old Post Office site. Councilman Visconti commented that the Council can come up with a list of sites and regulations. Mayor Szabo responded that the Council can come up with that in the future. He felt that the Council should allow a banner and a sign at the old Post Office site. Mr. Chewcaskie advised the Council can identify the areas indicated. If the Class of 2009 wants to place the signs in other areas, they have time to suggest those areas. Councilman Burns commented that the request is much too general. Special approval is needed to hang banners since it is a County road. Mayor Szabo asked the Borough Administrator to call Indian Hills and work out a plan to make this consistent with approvals given to other organizations. He would like to accommodate the request within reason.

MOTION TO TABLE:

On motion of Councilwoman Stagg, seconded by Councilman Burns, the request to hang a banner and signs from Indian Hills Class of 2009 be tabled.

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

APPROVE RAFFLE LICENSE RL1018

On motion of Councilwoman Stagg, seconded by Councilman Burns, approval be granted for Raffle License RL1018 for Ramapo Bergen Animal Refuge, Inc. to hold an off-premise raffle for merchandise on October 19, 2008 at 2:00 pm at the Animal Shelter, 2 Shelter Lane.

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

APPROVAL RAFFLE LICENSE 1019

On motion of Councilwoman Stagg, seconded by Councilman Burns, approval be granted for Raffle License RL1019 for Oakland Neighbors and Newcomers to hold a tricky tray on June 13, 2008 at Portobello Restaurant from 7:30 pm to 11:30 pm.

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

APPROVE RAFFLE LICENSE RL 1020

On motion of Councilwoman Stagg, seconded by Councilman Burns, approval be granted for Raffle License RL1020 for Oakland Neighbors and Newcomers to hold an on-premise 50/50 raffle on June 13, 2008 at Portobello Restaurant from 7:30 pm to 11:30 pm.

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

RESOLUTION 08-110 SUPPORT N.Y.S.&W. RAILWAY PROJECT

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

WHEREAS, the State Rail Plan Agreement approved a grant for the Line Rehabilitation between Hawthorne (MP 23.3) and Sparta (MP 63.0) in the amount of \$ 900,000 to The New York, Susquehanna and Western Railway Corporation; and

WHEREAS, the Borough of Oakland would realize increased rail safety with said project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Oakland does hereby support the Line Rehabilitation between Hawthorne (MP 23.3) and Sparta (MP63.0).

Councilman Burns explained that the Borough is not providing money for this project. The Railroad company is receiving a grant from the State to improve safety crossings.

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

RESOLUTION 08-111 AUTHORIZE APPLICATION FOR BERGEN COUNTY OPEN SPACE GRANT

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

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides grants to municipal governments and to nonprofit organizations for assistance in the acquisition of lands for open space conservation purposes and/or outdoor recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a grant of \$ 5,000,000 from the County Trust Fund to fund the following project(s): Acquisition of the Pinnacle Property; and

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, the County Program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the governing body/board will hold a public hearing at a regularly scheduled public meeting of the governing body to receive comments prior to the submission of said application(s); and

WHEREAS, the County of Bergen shall determine whether the application(s) is/are complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s); and

WHEREAS, if the applicant is successful in acquiring said project through the use of a County Trust Fund grant, then the applicant will permanently preserve said project for open space conservation and/or outdoor recreation purposes through a recorded deed of easement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council:

1. That it is hereby authorized to submit the above completed project application(s) to the County by the deadline of June 27, 2008, as established by the County; and

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and
3. That the applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance fo the project; and
4. That this resolution shall take effect immediately.

Councilwoman Stagg explained that the Borough is requesting a \$ 5 million grant to pursue acquisition of Pinnacle property. The Borough has asked for money in the past for this purpose and will continue to ask for money. Councilman Burns commented that the resolution indicates the applicant will secure funding. He questioned what the estimate of the purchase price is. Councilwoman Stagg responded that we don't have an offer at this time. At this point, the grant is not a match. The Borough is not under obligation to accept the grant but we would like to ask for it anyway. Councilman Burns commented this does not preclude us from soliciting other grants.

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

**RESOLUTION 08-112 AUHTORIZE APPLICATION FOR BERGEN COUNTY
RECREATION IMPROVEMENT GRANT**

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

WHEREAS, a Bergen County Open Space Trust Fund application in the anticipated amount of \$ 346,500 has been proposed by the Mayor and Council for the Municipal Park Improvement to the Recreation Complex-Tennis Court Reconstruction and lighting; and

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

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

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

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

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

Mr. Kunze explained that the Borough is applying for funding for the additional three tennis courts and the lighting. Discussion ensued over the amount being asked for. Mr. Kunze explained that the estimated total cost of the project is \$ 943,000 including engineering costs. He took 50% of that amount less the \$ 125,000 we are already receiving from the County for the project and that is how he came up with the \$ 346,500 being requested. He advised that the

Borough is asking for additional money to come up with the full 50% of the project. Councilwoman Marcalus commented that tennis season has begun and the complaints are that the lights from the baseball fields shine in the eyes of the tennis players. She asked if it is a consideration to move the lights on the fields. Councilman Burns responded that the engineer would have to look to ensure there is proper lighting on the ballfields. Councilwoman Marcalus commented that maybe the bigger issue is to look at the lighting around the complex. Councilman Burns responded he still wants to apply for this grant. Borough Engineer Tichacek advised that Recreation Chairman Steve Wagoner did light monitoring. The foot candles on the tennis courts are far below recreational standards. Therefore, the tennis court lighting does need to be addressed.

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

RESOLUTION 08-113 RENEWAL HEALTH INSURANCE CONTRACT

Mr. Kunze advised he has discussed this with Borough Risk Manager, Frank Covelli. There are different options on the reinsurance policies. Currently, the Borough has a \$ 50,000 aggregate with a \$ 40,000 corridor. The other two options are keeping the same aggregate and upping the corridor or increasing both the aggregate and corridor. Mr. Kunze recommended staying with the \$ 50,000 aggregate this year and increasing the corridor to \$ 50,000. Councilman Burns commented it sounds like a viable option. If the Borough has to pay the \$ 10,000, instead of going to the insurance company, it would be paid directly. Councilman Visconti commented that although the work force is young, 1/3 of the Borough's insures are retirees. The Insurance Committee is supporting Mr. Kunze's recommendation.

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 provides medical, prescription, dental and vision benefits through a partially self-funded plan administered through Insurance Design Administrators (IDA), a UHY Advisors Company located in Oakland, NJ; and

WHEREAS, the Insurance Committee, in consultation with the Benefits Consultant, recommends to the Mayor and Council, the re-insurance proposal provided by Zurich Insurance Company be adopted, as such specific proposal is determined to be most competitive against the alternate proposals solicited and evaluated by the Benefits Consultant and the Insurance Committee at this time; and

WHEREAS, the Insurance Committee will continue its work, in consultation with the Benefits Consultant to review various cost driving factors identified through this process and potential remediation measures to be taken going forward, as further information becomes available and analysis conducted; and

WHEREAS, the proposed renewal maintains the existing level of benefit in accordance with the contractual requirements promulgated by the various collective bargaining unit agreements within the Borough.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, Bergen County that the IDA renewal proposal offering a \$50,000 aggregating specific stop loss with a \$50,000 corridor (24/12 Contract) and an aggregate attachment point (maximum claims liability) of \$2,979,413. through Zurich Re-Insurance Company (the re-insurer) for the

period 6/1/08 to 6/1/09 is hereby accepted and directed to the Borough Administrator and Benefits Consultant for implementation; and

NOW, THEREFORE BE IT RESOLVED, the contract award for these services is directly to a duly licensed and admitted Insurance Company within the State of NJ and therefore, such award is exempt from the requirements set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A.19:44A-20.5 et seq.

BE IT FURTHER RESOLVED, the Borough Administrator and Borough Benefits Consultant are hereby directed to take the appropriate steps necessary for full implementation without interruption to those eligible employees, dependents and retirees; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to IDA, Third Party Administrators to the Program, and Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ Benefits Consultant to the Borough.

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

RESOLUTION 08-114 ACCEPT RESIGNATION

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

WHEREAS, Raymond Herr has served as Chief Financial Officer of the Borough of Oakland since January 30, 2006; and

WHEREAS, Mr. Herr has submitted a resignation effective as of May 30, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the resignation of Raymond Herr as Chief Financial Officer, effective May 30, 2008, be and the same is hereby accepted.

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

RESOLUTION 08-115 APPOINT COMMUNITY DEVELOPMENT REPRESENTATIVES

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

WHEREAS, in order to conduct Community Development Grant Meetings in conjunction with the monthly Share Service Meetings, the H.U.D./County regulations require that each municipality appoint by Resolution two representatives to the N.W. Regional Board.

WHEREAS, Mayor Szabo has designated Councilwoman Elizabeth Stagg to serve as the Mayor's representative to the Community Development Program for a one-year term, July 1, 2008 through June 30, 2009.

BE IT RESOLVED that the Borough Council hereby appoint Borough Administrator Richard Kunze to serve as the Council's representative for a one-year term, July 1, 2008 through June 30, 2009.

BE IT FURTHER RESOLVED that the Mayor and Council hereby appoint Councilwoman Karen Marcalus as the alternate

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

RESOLUTION 08-116 APPOINT JOINT INSURANCE FUND COMMISSIONER AND ALTERNATE

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 a member of the Bergen County Municipal Joint Insurance Fund (hereinafter the FUND) for all its property and casualty insurance coverages; and

WHEREAS, in accordance with the By-Laws and more specifically, the requirements of membership in the Fund, the Borough must appoint a Fund Commissioner and Alternate Fund Commissioner to represent the Borough in all pertinent Fund affairs, and

WHEREAS, the prior Borough Administrator served in this capacity, but with a new Administrator, a new Fund Commissioner and Alternate Fund Commissioner need to be appointed; and

WHEREAS, the Borough Administrator and Borough Clerk have agreed to serve in the capacity of the Borough's Fund Commissioner and Alternate Fund Commissioner respectively.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that Borough Administrator Richard Kunze. and Borough Clerk Lisa Duncan are hereby appointed to serve as the Borough's Fund Commissioner and Alternate Fund Commissioner respectively, to the Bergen County Municipal Joint Insurance Fund, effective upon adoption of this Resolution, and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Fund through the Borough's Risk Management Consultant, Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818, Carlstadt, NJ 07072.

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

RESOLUTION 08-117 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 of Oakland has tendered his resignation, effective as of May 30, 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 that Robert Miller is hereby appointed as Acting Chief Financial Officer for the Borough of Oakland effective June 2, 2008, to work between five to seven hours per week at a total compensation of \$ 1,000 per month, on a temporary basis, as needed, and at the will of Borough Council.

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

WORK SESSION:**HISTORIC PRESERVATION GRANT**

Mr. Kunze commented he knows the Council has concerns with the budget. The idea of applying for the State grant is if we are successful, it would cover the cost of the historic preservation plan that is required. If the Borough does not receive the State grant, the Council would determine funding issues at that time. The consensus of the Council was to move forward with the grant application. A resolution will be placed on the June 11, 2008 agenda.

MODIFICATION TO ZONING ORDINANCE

Mayor Szabo explained there is a need for clarification to the present ordinance. The ordinance does not distinguish between impervious coverage and building coverage. Mayor Szabo advised this will correct a major flaw in our zoning ordinance. Mr. Chewcaskie advised this draft ordinance mirrors the recommendations in Burgis' letter. The only change he would make is on page 1 where "building coverage" should be "lot coverage". This ordinance will be listed for introduction on June 11th. Councilwoman Marcalus advised this was discussed at great length at the Planning Board meetings. This ordinance will be brought back to the Planning Board for comment after introduction.

ODD-EVEN WATER RESTRICTIONS:

Councilwoman Stagg commented that the Council asks residents every year during heavy watering season to water on odd-even days. She advised that the Borough is blessed with plenty of groundwater. However, there is a storage problem. If everyone were to water on the same day, we would have trouble refilling the tanks. The odd-even restriction works superbly to maintain the water level in the tanks. Councilwoman Stagg advised that unless there is a real drought, the restriction won't really be enforced. Councilman Burns commented he will oppose this as he does every year. Councilwoman Marcalus advised this should be put on Channel 77. The resolution will be listed on the June 11th agenda.

DRAFT CONSUMER CONFIDENCE REPORT

Councilwoman Stagg advised that Crew had given a draft of the report for comments. The report is required to be filed with the State by July 1st. The report alerts everyone as to the quality of the water.

NEW BUSINESS:

Councilman Burns advised that on the north side of Chase Bank, cars are exiting by going over the sidewalk. Councilman Burns asked the Mayor if he talked to the Shopping Center owner about putting up concrete blocks. Something has to be done to prevent an accident. Mayor Szabo advised he plans on talking to the owner about a number of issues.

Councilwoman Stagg would like to have referendum for the ballot to extend the open space tax for another five years. This would not ask for additional money only a continuation of the tax that is already in place. The Borough has received a lot of grant money because that tax is in place. Mayor Szabo commented the Borough would get a reduced share of grant money if there was no open space tax in place.

Councilwoman Stagg would like the Brough to consider terminating civil service. Employees are covered by union contracts. She is not sure there is a need for civil service. Councilwoman Stagg believes this needs to be done by referendum as well.

COUNCIL REPORTS:

Councilwoman Marcalus: The Planning Board will meet June 12th at the Senior Center.

Councilman Visconti: Councilman Visconti explained the purchase order process for the Borough.

Councilwoman Stagg: no report.

Councilman Burns: The Recreation Commission held a meeting last night and discussed background checks. The background checks are on hold because of where the funding would come from. The question has to be addressed. He suggested doing random checks to save money. The Shade Tree Commission meets next week. Councilman Burns commented it was a great Memorial Day Parade this year. However, two years ago the American Legion issued a directive not to throw candy. That was not followed this year and it brings up the problem of litter as well. Mayor Szabo responded that the Governing Body are guests at the Parade. The Parade is run by the American Legion. They should advise the participants as to what is allowed. Councilman Burns advised that the condition of Franklin Avenue going north is atrocious. Assistant Superintendent Marcucilli is supposed to meet with the County. Mayor Szabo asked Mr. Kunze to sit in on the meeting to facilitate the work being done. Councilman Burns questioned if Northwest Bergen Utilities Authority is putting sewer pipes in through Franklin Lakes. Mayor Szabo advised that this is in discussion stages. There is no agreement yet and may not happen.

Councilman Pignatelli: He congratulated the Fire Department for taking first place in a competition.

BILLS TO BE PAID:

On motion of Councilman Visconti, 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, Marcalus, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the meeting be adjourned at 9:40 pm.

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

Lisa M. Duncan, Borough Clerk
June 25, 2008

Mayor John P. Szabo, Jr.

Date Approved