

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY APRIL 9, 2014

MOVE TO EXECUTIVE SESSION:

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Potential Litigation, Tax Appeals
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 Jensen, Kulmala, Pignatelli, Stagg.

Discussion ensued over Tax Appeals and potential litigation.
Councilwoman Coira entered the meeting at 7:25 pm.

CLOSE EXECUTIVE SESSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

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

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg. Absent: Councilman Visconti. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

EXCUSE ABSENCE OF COUNCILMAN VISCONTI:

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the absence of Councilman Visconti be excused.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

MAYOR'S REPORT:

Kevin Heffernen gave a presentation at the Senior Center on the history of Oakland. Tomorrow is the NJ Japanese School opening ceremony. The intern program for high school juniors will take place this summer at the Municipal Building. On April 5th, we had the initial registration for the Oakland Weight Loss Challenge. It is a 12-week program and there will be seminars held on nutrition.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

Frank Monaco, 60 Thackeray Road, asked why the County is paving Franklin Avenue if sewers are coming to town. Mayor Schwager advised it will be awhile for sewers to come to town and Franklin Avenue is really bad. Mr. Monaco commented that the high school traffic is causing most of the traffic in town. He suggested making a no left on Yawpo for two hours each day as well as making other changes to alleviate the traffic. Mr. Monaco advised that the Democrats and the Republicans only decided to run one candidate each so he started an Independent petition for Henry Leshner to run. Mr. Monaco didn't like that there was no competition.

Dave Richardson, 320 Ramapo Valley Road, was wondering if hookup to the sewers was going to be mandatory. Mr. Chewcaskie responded that the Borough has not reached that point yet on whether hookups would be mandatory. When the sewer line went to Franklin Lakes, it took 6 years for construction. Franklin Lakes does not have a mandatory hookup. The Mahwah model operates a utility. They went to various neighborhoods and if more than 50% want sewers, they put them in. Mr. Chewcaskie indicated there would not be mandatory hookups here. Mr. Richardson asked if West Oakland Avenue was going to be resurfaced. Mr. Kunze responded that from the Pompton Lakes border to the railroad tracks is being resurfaced. We have a grant application in for work from the railroad tracks to Skyline Drive. Mr. Richardson spoke of the

traffic backup on Breakneck Road at the traffic light because the County re-striped the road. Councilwoman Stagg thinks the County re-striped the road on purpose because there were so many accidents from people making rights on red. Mayor Schwager advised that the Borough Administrator will contact the County about the striping.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

APPROVAL OF MINUTES: MARCH 25, 2014 BUDGET MEETING

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council budget meeting of March 25, 2014 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

APPROVE RAFFLE LICENSE RL1216

On motion of Councilwoman Stagg, seconded by Councilman Jensen, approval be granted for Raffle License RL1216 for Ramapo Bergen Animal Refuge Inc. to hold an on-premise 50/50 raffle on May 9, 2014 at Portobello, 155 Ramapo Valley Road.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

APPROVE REQUEST FOR RELAY FOR LIFE

On motion of Councilman Jensen, seconded by Councilwoman Stagg, approval be granted for FLOW area Relay For Life to "Paint the Town Purple" by placing purple ribbons on trees and poles and placing a banner at Bush Plaza.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

MOTION TO APPROVE RECREATION FEES:

On motion of Councilman Jensen, seconded by Councilwoman Coira, approval be granted to add the following Recreation Fees: Volleyball \$35 and Summer Football \$ 100.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

PUBLIC HEARING ON BUDGET:

Mr. Kunze reminded everyone this is a hearing on the budget as introduced. We have a budget amendment on the agenda for action.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-105 DESIGNATE NWBCUA AS WASTEWATER MANAGEMENT PLANNING AGENCY

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

WHEREAS, the Borough of Oakland (the "Borough") has entered into a non-binding Memorandum of Understanding with the Northwest Bergen County Utilities Authority (the "Authority") dated September 25, 2013 (the "MOU") which contemplates (1) the Borough becoming a member of the Authority, (2) the Borough and the Authority entering into a service contract and (3) the Authority providing wastewater treatment services to a portion of the Borough pursuant to the service contract; and

WHEREAS, the MOU further contemplates that, prior to entering into a service contract with the Authority, the Borough will request that the New Jersey Department of Environmental Protection ("NJDEP") designate the Authority as the wastewater management planning agency for the Borough pursuant to N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13; and

WHEREAS, the designation of the Authority as the wastewater planning agency for the Borough is necessary for the Authority to submit a wastewater management plan to NJDEP for the Borough, which the MOU contemplates the Authority will do at its own cost and expense; and

WHEREAS, the Borough is currently the designated wastewater planning agency for all of the Borough, but N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13 allow for transfer of that responsibility to another governmental entity, subject to NJDEP approval; and

WHEREAS, N.J.A.C. 7:15-5.4 and N.J.A.C. 7:15-5.13(b) provide for the county board of chosen freeholders to have wastewater management planning responsibility, unless a particular county does not submit a wastewater management plan to NJDEP or stipulates that it does not intend to submit such a plan; and

WHEREAS, the Bergen County Board of Chosen Freeholders has not submitted a wastewater management plan to NJDEP; rather either the NBCUA or the Bergen County Utilities Authority serve as the designated wastewater management planning agency for the vast majority of the municipalities in the County of Bergen; and

WHEREAS, the Borough is desirous of NJDEP transferring wastewater management planning responsibility for the Borough to the NBCUA and therefore makes this request for same to NJDEP; and

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

1. The Borough hereby requests that NJDEP transfer wastewater management planning responsibility for the entire Borough from the Borough to the NBCUA and that NJDEP

designate the NBCUA as the wastewater management planning agency for the entire Borough, all pursuant to N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13.

2. Pursuant to the requirements of N.J.A.C. 7:15-5.13(b), the Borough will provide to the County of Bergen all of the information required by N.J.A.C. 7:15-5.8 as required by law.

3. The Borough Administrator is authorized and directed to deliver a copy of this Resolution to NJDEP.

4. The Borough Administrator is further authorized and directed to execute and deliver all application forms or other materials required or advisable to implement the request to NJDEP for designation of the NBCUA as the wastewater management planning agency for the Borough.

5. This Resolution shall take effect immediately.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-106 AWARD BID 2014 ROAD PROGRAM

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

WHEREAS, on March 18, 2014, the Borough of Oakland received twelve (12) bids for the 2014 Road Program; and

WHEREAS, Smith-Sondy Asphalt Construction Co., 150 Anderson Avenue, Wallington, NJ had the lowest responsible bid with a base bid price of \$474,344.48, Alternate A price of \$75,037.10; and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and have recommended acceptance of the bid from Smith-Sondy Asphalt Construction Co; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #'s C-04-56-690-302 \$500,000; C-04-56-690-301 \$18,901.11; C-04-56-670-301 \$19,900.00; C-04-56-670-302 \$914.58; C-04-56-652-301 \$9,665.89; and

NOW, THEREFORE, BE IT RESOLVED that the bid of Smith-Sondy Asphalt Construction Co. in the total amount of \$549,381.58 is hereby accepted; and

BE IT FURTHER RESOLVED, that the Borough Administrator is directed to prepare an appropriate contract for the same; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are directed to execute the agreement on behalf of the Borough.

Councilman Pignatelli asked if striping will be done with this contract. Mr. Kunze responded that striping is typically included as part of the road program. Councilman Pignatelli commented that River Road was paved last year but we never put the white line on the side of the road that had been discussed. He asked if that could be added to this project. Borough Engineer Rebecca Mejia will research and advise.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-107 LICENSE BOROUGH PROPERTY ADJACENT TO 87 LAKEVIEW

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

WHEREAS, the Borough has received a request to renew the license Borough owned property at 89 Lakeview Terrace; and

WHEREAS, the Superintendent of Public Works and Zoning Officer have reviewed the request and they recommend the re-issuance of the license for the year 2014;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Clerk to issue a license for the property at 89 Lakeview Terrace to Anthony Papasso, 87 Lakeview Terrace, subject to the rules and regulations specified in Resolution 14-20 adopted on January 8, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-108 APPOINT SUBSTITUTE CROSSING GUARDS

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

WHEREAS, the Police Chief has requested the appointment of Substitute School Crossing Guards and the necessary background investigations have been completed and the candidates deemed to be qualified;

BE IT RESOLVED that the Mayor and Council hereby appoint Robert E. Lynn and Therese Vollmin as Substitute School Crossing Guards at a salary of \$14.73 per hour effective April 10, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-109 AMEND CONTRACT JERSEY PROFESSIONAL MANAGEMENT

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

WHEREAS, the Borough authorized an agreement with Jersey Professional Management to provide Accounting and Financial Services at an initial cost of \$ 13,500; and

WHEREAS, additional time is needed so the agreement must be amended by an additional \$ 16,500; and

WHEREAS, the amended not to exceed amount for Jersey Professional Management's services is now set at \$ 30,000 and funds are available in Account #4-01-20-130-020;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize the amended agreement with Jersey Professional Management for Accounting and Financial Services.

Mr. Kunze explained that an initial amount had been set up for a temporary CFO. This is to extend that contract because additional services are needed. He explained that money had been transferred from Salaries & Wages to Other Expenses to cover the cost of the contract. Councilman Pignatelli asked the status of the CFO search. Mr. Kunze responded that there are three finalists and he is in the process of checking references.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-110 AMEND CONTRACT-S & L ARCHITECTURE

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

WHEREAS, a contract was issued to S&L Architecture for construction administration for the DPW Building Renovation Project; and

WHEREAS, it is necessary to amend S&L Architecture Studio's contract by an additional month to continue providing needed services while construction continues; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the extension to S&L Architecture Studio's contract for the period of March 1 to March 31, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-111 AMEND CONTRACT-EPIC

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

WHEREAS, a contract was issued to Epic Management, Inc. of Piscataway, New Jersey for Owner's Representative Services for the DPW Building Renovation Project and the contract is due to expire on March 9, 2014; and

WHEREAS, it is necessary to amend Epic's contract in order to extend an additional month to continue providing needed services while construction continues; and

WHEREAS, no additional compensation is required beyond the amount already authorized:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the amendment to Epic Management's contract for an additional month to April 9, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-112 REFUND 2013 TAXES DUE TO TAX COURT JUDGMENT BL901, LOT 34

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

WHEREAS, a Tax Court Judgment was entered on March 21, 2014 in the matter of Philip Yachmetz & Kathleen Newhard v. Oakland Borough, Docket No. 003797-2013, reducing

the assessment of Block 901, Lot 34, 4 Valley Forge Road to \$1,050,000.00 for the Tax Year 2013, and

WHEREAS, a refund of the 2013 property taxes is now due to Philip Yachmetz & Kathleen Newhard c/o Christos J Diktas, Esq, in the amount of \$3,489.76;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, do hereby authorize a check be issued to Philip Nachmetz & Kathleen Newhard c/o Christos J Diktas, Esq, the amount of \$3,489.76.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-113 REFUND 2013 TAXES DUE TO TAX COURT JUDGMENT BL.3201, LOT 4

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

WHEREAS, a Tax Court Judgment was entered on March 21, 2014 in the matter of 8 Thornton Road LLC v. Oakland Borough, Docket No. 000600-2013, reducing the assessment of Block 3201, Lot 4, 8 Thornton Road to \$4,925,000.00 for the Tax Year 2013, and

WHEREAS, a refund of the 2013 property taxes is now due to 8 Thornton Road LLC, c/o Paul Tannenbaum, Esq, in the amount of \$14,069.37;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, do hereby authorize a check be issued to 8 Thornton Road LLC, c/o Paul Tannenbaum, Esq, in the amount of \$14,069.37.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-114 REFUND 2012 TAXES DUE TO TAX COURT JUDGMENT BL 3201, LOT 4

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

WHEREAS, a Tax Court Judgment was filed on November 15, 2013, in the matter of Craig D & Allyson Englishman v. Oakland Borough, Docket No. 017231-2012, reducing the assessment of Block 4305, Lot 22, 12 Maple Drive, to \$525,000.00; and

WHEREAS, a refund of the 2012 and 2013 property taxes is now due to Craig D & Allyson Englishman, c/o Margaret A Steffen, Esq, Horn Law Group, LLC, in the amount of \$2,062.67;

NOW, THEREFORE, BE IT RESOLVED, THAT THE Mayor and Council of the Borough of Oakland, upon the advice of the Chief Financial Officer and the Tax Collector, do hereby authorize a check be issued to Craig D & Allyson Englishman, c/o Margaret A Steffen, Esq, Horn Law Group, LLC, in the amount of \$2,062.67.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-115 REFUND RECREATION FEES

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

WHEREAS, the Borough of Oakland has received a request for refunds of Recreation Fees in the amount of \$507.00; and

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

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorize refunds to:

Jeanine Osterlof, 54 Thackeray Road, Oakland, NJ 07436 refund due \$299.00
 David Gonzalez, 27 Iroquois Avenue, Oakland, NJ 07436 refund due \$108.00
 NJ ROCZ, Russell Rinaldi, 828 Palmer Ave., Maywood, NJ 07607 refund due \$100.00

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

RESOLUTION 14-116 AMENDMENT TO 2014 BUDGET

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

WHEREAS, the local municipal budget for the year 2014 was approved on the 12th day of March, 2014; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, in the County of Bergen, State of New Jersey, that the following amendments to the approved budget of 2014 be made:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
• Anticipated Revenues		
Miscellaneous Revenue – Section G: Special Items of Revenue Anticipated With Prior Written Consent of Director of Local Government Services – Other Special Items:		
Pension Reimbursement from Library	\$ 51,349.00	\$ 46,250.00
Pension Reimbursement from Water Utility	\$ 57,332.00	\$ 51,639.00
Pension Reimbursement from Sewer Utility	\$ 10,953.00	\$ 9,865.00
Total Section G:	\$ 783,134.00	\$ 771,254.00
Total Miscellaneous Revenues:	\$3,822,721.20	\$ 3,810,841.20
▪ Miscellaneous Revenues – Section F: Special Items of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:		
Municipal Alliance for Alcoholism and Drug Abuse	\$ 9,876.00	\$.00

Total Public and Private Programs	\$ 158,918.20	\$ 149,042.20
Sub-total General Revenues	\$3,839,721.20	\$3,817,965.20
• Amount to be Raised by Taxes for Support of Municipal Budget		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes:	\$13,345,264.11	\$13,277,206.11
Total Amount to be Raised by Taxes for Support of Municipal Budget :	\$14,118,464.11	\$14,050,406.11
<u>TOTAL GENERAL REVENUES:</u>	\$17,958,185.31	\$17,880,251.31
	<u>FROM</u>	<u>TO</u>
• General Appropriations		
(A) Operations – Within “CAPS”		
Public Safety Functions		
Fire Department		
Other Expense	\$ 101,100.00	\$ 104,100.00
Parks and Recreation Functions		
Other Expense	\$ 297,660.00	\$ 297,360.00
▪ Total Operations {item 8(A)} within “CAPS”	\$ 12,769,060.00	\$ 12,771,760.00
▪ Total Operations Including Contingent – within “CAPS”	\$ 12,774,060.00	\$ 12,776,760.00
Detail:		
Other Expenses (Including Contingent)	\$ 5,895,910.00	\$ 5,898,610.00
(E) Deferred Charges and Statutory Expenditures – Municipal within “CAPS”		
(2) Statutory Expenditures		
Contribution to:		
Public Employees Retirement System	\$ 378,876.00	\$ 341,237.00
Police and Firemen’s Retirement System	\$ 765,245.00	\$ 716,996.00
Defined Contribution Retirement System	\$ 750.00	\$ 4,000.00
Total Deferred Charges and Statutory Expenditures – Municipal within “CAPS”	\$ 1,616,871.00	\$ 1,534,233.00
Total Operations within “CAPS”	\$ 12,668,875.00	\$ 12,588,937.00
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$ 14,390,931.00	\$ 14,310,993.00
(F) Operations – Excluded from “CAPS”		
Public and Private Programs Offset by Revenues		
Municipal Alliance for Alcoholism and Drug Abuse	\$ 9,876.00	\$.00
Total Public and Private Programs Offset By Revenues	\$ 163,887.20	\$ 154,011.20
Total Operations – Excluded from “CAPS”	\$ 1,196,987.20	\$ 1,187,111.20
Detail:		

Other Expenses	\$ 634,629.20	\$ 624,753.20
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$ 3,382,254.31	\$ 3,372,378.31
(L) Sub-Total General Appropriations (H-1) + (O)	\$ 17,773,185.31	\$17,683,371.31
\$		
<u>TOTAL GENERAL APPROPRIATIONS</u>	\$ 17,958,185.31	\$17,868,371.31
<u>WATER UTILITY FUND</u>		
▪ Capital Improvements		
Capital Improvement Fund	\$ 60,000.00	\$ 65,693.00
▪ Statutory Expenditures		
Contribution to:		
Public Employees Retirement System	\$ 57,332.00	\$ 51,639.00
TOTAL WATER UTILITY APPROPRIATIONS	\$ 1,919,000.00	\$ 1,919,000.00
<u>SEWER UTILITY FUND</u>	<u>FROM</u>	<u>TO</u>
• Capital Improvements		
Capital Improvement Fund	\$ 147.00	\$ 1,235.00
▪ Statutory Expenditures		
Contribution to:		
Public Employees Retirement System	\$ 10,953.00	\$ 9,865.00
TOTAL SEWER UTILITY APPROPRIATIONS	\$ 390,300.00	\$ 390,300.00

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Oakland does hereby approve this amendment to the approved budget for the Fiscal Year 2014.

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the Fiscal Year 2014 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this Resolution shall be advertised in the April 14, 2014 edition of "The Record" and that a hearing will be held on this amendment at the Municipal Complex on April 23, 2014 at 7:30 pm.

Mr. Kunze explained that this amendment is in line with the spreadsheet he handed out earlier. The changes are due to reductions in the pension funds due to revised billing. There is a small increase to deferred comp, Fire OE is up \$ 3,000 for technology and Recreation OE is down by \$ 300. The water and sewer utility revenue was adjusted. Mr. Kunze explained that we are not yet able to account for the Municipal Alliance Grant because that does not go into effect until July. We will take that in as a Chapter 159. The net reduction is \$ 68,058. The increase on the Municipal Budget is 1.23%. When the Library is taken into account, the increase on the Municipal Budget is .99%. Mayor Schwager advised that the Mayor and Council only control the

Municipal portion of the tax bills. Councilman Pignatelli advised that there are seven components of the tax bill. Mayor Schwager reiterated that the Borough only controls the Municipal portion. Councilman Jensen commented that when the budget process began, the Municipal Budget increase was almost 2%. He gave Mr. Kunze a lot of credit and advised that former CFO Jim Mangin also put a lot of effort into the budget before he left. The increase has been whittled down to under 1%. He thanked everyone who helped in that effort. Mr. Kunze advised that the hearing on the Budget Amendment will be April 23rd. At that point, the Council can adopt the budget.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

WORK SESSION:

D.O.T. GRANT PROPOSALS

Mr. Kunze advised that we were notified of two D.O.T. grant programs. The Borough has targeted sidewalk improvements around the schools over the last several years for the Safe Routes to Schools grant. The Borough still needs to do the sidewalks around Heights School. Borough Engineer Rebecca Mejia advised that the Borough is applying for 3500 linear feet of sidewalk. Councilman Pignatelli asked if we could apply for the Transportation Alternatives grant program for work at the Great Oak Park or Van Allen House. Mr. Kunze responded that the work needs to relate to transportation. Ms. Mejia explained that the grant program relates to intermodal systems so transportation must be involved. She explained it is a very competitive grant.

Councilman Pignatelli asked if the sidewalks on Ramapo Valley Road would be eligible for Safe Routes to Schools. Ms. Mejia responded that it can be included in the application but the Council needs to be prepared if the Borough does not receive funding for all the projects requested. Mayor Schwager asked if there are children walking from Long Hill Road. If we are going to look at sidewalks, the one on Long Hill Road is deplorable. Councilman Kulmala commented that sewers are imminent in Oakland. He asked if it makes sense to apply for the downtown roads to be used after the sewers are put in. Mr. Kunze responded that we will look for grants for that as it gets closer for installation of sewers. Mr. Kunze advised that the D.O.T.'s policy is to use the grant or lose it. Ms. Mejia responded that the D.O.T. gives two years to complete the project. Councilman Kulmala commented that as grants come available, we should try to apply based on the timeframe for the sewers.

Councilwoman Coira commented that at the Recreation Commission meeting, it was questioned if we could get sidewalks on Oak Street down to the Recreation field. Ms. Mejia advised that she did discuss Oak Street with the Police Department. We are submitting from Ponds Church to Municipal Plaza. She advised that she can look into extending the sidewalks down Oak Street. Mr. Kunze responded that these grants are competitive so the Council might have to prioritize projects if we do not receive all the funding requested. The Council has consistently put away \$50,000 each year for sidewalk projects. If there are consistent issues, however, the Council can address those projects sooner. Councilwoman Stagg commented that she has been asking for Long Hill Road sidewalks to be addressed for 11 years. If no one wants the sidewalks on Long Hill, then take them out. Mr. Kunze advised that if the Borough puts in sidewalks, it is supposed to be the homeowner's responsibility to maintain them. Mayor Schwager asked if we can remove sidewalks. She questioned if the Borough should remediate if residents are not going to maintain sidewalks. Mr. Kunze responded that it becomes a legal issue. Mr. Chewcaskie advised that typically the responsibility for maintenance of the sidewalk is transferred to the homeowner once installed. Mr. Chewcaskie thinks the Borough can vacate sidewalks if they don't want them any longer. He questioned who installed the sidewalks on Long Hill since it is a County road. He asked if the Borough put the sidewalks in or the developer. Councilman Pignatelli asked if

that would fall under property maintenance. Mr. Kunze responded that the Borough has taken on the responsibility of the sidewalk repair if the sidewalk was damaged by a Borough-owned Shade Tree. Councilman Pignatelli commented that the Long Hill sidewalks were not properly installed and the Borough might have to spend \$500,000 to properly install sidewalks. Councilwoman Stagg questioned if the sidewalks were removed on Long Hill, if the Borough would need to provide a small school bus to transport students.

Mr. Kunze advised that we were looking at a section of sidewalk on Ramapo Valley Road. It needs infrastructure work such as a retaining wall. Perhaps this discussion should be deferred until the Capital ordinance is done. He clarified that the priority of the sidewalks being included in the grant application are Heights School, Long Hill Road, Ramapo Valley Road and Oak Street.

PERSONNEL POLICY:

Mr. Kunze advised that every other year, the Joint Insurance Fund requires the Borough to update the Borough's personnel policy as part of Employment Liability. The JIF gives the model language to be used to update personnel policies as well as provides the required training for employees. A resolution to adopt the policy will be listed on the April 23rd agenda.

COUNCIL REPORTS:

Councilman Kulmala: He advised that the Board of Education will be providing articles for this Crossroads issue. The TV Committee needs volunteers. The Planning Board will hold a meeting tomorrow.

Councilwoman Stagg: The Green Team met and progress is being made. She was asked to work on a water conservation ordinance. The Water & Sewer Committee met this week. They were busy bringing the new engineer up to date on projects. Progress has been made on the site for the pump station and Well 10.

Councilman Pignatelli: He wanted to alert residents on scams. Councilmembers Pignatelli and Jensen attended the First Aid Squad meeting on Monday. The First Aid Squad received 195 calls between January and March. The First Aid Squad is very involved in helping residents. They have a new Facebook page. The Squad will be celebrating their 60th anniversary this year. There is a cadet program for high school students. The Ramapo Indian Hills TNT club will hold a Senior Citizens dinner dance on April 26th at 5 pm at the Indian Hills High School cafeteria.

Councilman Jensen: The Easter Egg Hunt will be held this Saturday at 11 am. The raindate will be April 13th at 1 pm.

Councilwoman Coira: Recreation Sign-up information is on the Recreation website. The signups for women's softball has begun. There is a new Special Needs Program Commissioner, Vivian King. She is looking to expand the Special Needs program. The Shade Tree Commission met last Monday. She explained that the tree permit fees go into the Shade Tree Trust Fund. The money is used for various projects. The Shade Tree Commission is looking to do a replanting project in the downtown right of way. They are looking to plant between 20 and 30 trees. Garbage pickup is now twice per week and yard waste pickup has begun.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

BILLS TO BE PAID:

On motion of Councilman Jensen, 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 Coira, Jensen, Kulmala, Pignatelli, Stagg.

MEETING ADJOURNED:

On motion of Councilman Jensen, seconded by Councilman Pignatelli, the meeting be adjourned at 8:50 pm.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Stagg.

Lisa M. Duncan, Borough Clerk
April 23, 2014

Mayor Linda H. Schwager

Date Approved