

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY APRIL 24, 2013

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Jensen, 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:
Potential Litigation
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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

CLOSE EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilwoman Coira, the Executive Session be closed.

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:32 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; James Mangin, Chief Financial Officer.

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.

PROMOTION TO SERGEANT:

RESOLUTION 13-129 AUTHORIZE PROMOTION

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

WHEREAS, the Borough of Oakland has a vacant Sergeant's position due to a recent retirement; and

WHEREAS, Officer Michael O'Neill has qualified for promotion per the rules and regulations of the New Jersey Civil Service Commission; and

WHEREAS, the Borough Administrator and Chief of Police have recommended that Officer O'Neill be promoted to fill the open Sergeant's position; and

WHEREAS, the Council believes it is in the best interest of the department and community to promote Officer O'Neill;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that Officer Michael O'Neill be promoted to the rank of Sergeant, effective immediately; and

BE IT FURTHER RESOLVED, that Sgt. O'Neill's compensation shall be commensurate with and pursuant to the PBA Collective Bargaining Agreement.

ROLL CALL: Yeas, Councilmembers Jensen, Pignatelli, Stagg, Mayor Schwager.
Nays, Councilmembers Coira, Marcalus, Visconti.
Mayor Schwager gave the Oath of Office to Sgt. O'Neill.

PRESENTATION BY TROUT UNLIMITED:

Roy Bauberger, OEM Coordinator and River Keeper, advised that the Borough held a river cleanup. The Fire Department, DPW, Environmental Commission and Ladies Auxiliary participated. It was an "in the water" operation so he didn't reach out to the public for this cleanup. He advised they got a lot of debris out of the water. He commented that the Ramapo

River is in horrific shape. The river is in a state of disrepair and has not been maintained. Trout Unlimited has plans for the river.

Brian Calvin from Trout Unlimited advised that he knows the town has concerns over flooding. The work that Trout Unlimited is recommending will not necessarily clear up the flooding. There are many factors that contribute to flooding such as development and I287. Councilwoman Marcalus asked how he came to the Borough of Oakland. Mr. Calvin advised that a friend introduced him to Stephen Farley and then to Mr. Bauberger who is extremely informed about the river. Mr. Calvin made a presentation to the Flood Commission.

Mr. Calvin explained that the river is a wet conveyor belt for sediment transport. Things such as development stop the process. He spoke about what is done to restore the river such as bed manipulation. He spoke of the engineering aspects of river restoration. The removal of sediment brings back insect life which fuels the ecosystem.

He advised that Urbani Fisheries would be doing the work in the river. The first step in the process is to do a survey of the river. Then a conceptual drawing would be done to go with the permit application to the DEP. They would then provide DEP with an as-built plan after work was completed. There may be a need to remove some shoaling in this river.

Mr. Calvin presented visual pictures of projects that they have completed. He explained that with their projects, they create pools which helps habitat and helps dissipate energy. He explained that the thalweg is the deepest part of the channel. The boundary is considered to the thread of the thalweg. The thalweg could change during a flood event so the boundaries could change after a flood.

Mr. Bauberger explained that Trout Unlimited partners with the DEP. He has a lot of detail on costs, types of machines to be used, etc. He feels that the Borough needs to do something in the river. Mr. Calvin reiterated that the work that will be done is not going to help flooding. He advised that the Borough needs to work with their upstream neighbors to tell them about the effects of development. Councilwoman Stagg commented she is in favor of pursuing this project. She asked what the soil going downstream is going to do to the downstream neighbors. Mr. Calvin advised it is going to turn the water brown and will settle in Pompton Lake. He explained that only fine sediment will be released.

Councilman Pignatelli commented that the proposals talk about different linear feet. He asked if Trout Unlimited assessed how many linear feet we need. Mr. Bauberger commented that the area of most concern is from the Lenape Bridge to the railroad trestle. Councilman Pignatelli asked for an estimated time of completion for the project. Mr. Calvin responded it would take one month maximum. Councilman Pignatelli asked if the total cost would be \$250,000. Mr. Bauberger responded that price did not include material. Councilman Jensen commented that he has been a member of Trout Unlimited for years. Trout Unlimited puts membership fees towards projects of restoration. He agreed that the area between Lenape and the railroad trestle is the biggest problem. He would love to see the river restored. He thinks this is a great organization and the Council should consider the project.

Councilman Visconti asked if the State participates in funding for these types of projects. He is stumped on how the State controls the waterways but they don't want to maintain them. He would like to hold the State accountable. Mr. Calvin responded that the Federal government built 287 which did no justice to the river. Councilman Pignatelli commented that we have received money from the USDA previously. Councilwoman Stagg commented that we have

gotten the DEP to do work in the river in the past. The problem is the DEP doesn't want to keep coming back.

Mayor Schwager thanked Mr. Calvin for a great presentation.

APPROVAL OF MINUTES: APRIL 2, 2013 BUDGET MEETING

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the minutes from the Mayor and Council budget meeting of April 2, 2013 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Marcalus, Visconti.
Abstain, Councilmembers Pignatelli, Stagg

APPROVAL OF MINUTES: APRIL 15, 2013 SPECIAL MEETING

On motion of Councilman Jensen, seconded by Councilman Visconti, the minutes from the Mayor and Council special meeting of April 15, 2013 be approved.

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

PRESENTATION BY LAND CONSERVANCY:

Aaron Cela from Land Conservancy advised that they have been hired by the Borough to help with the flood buyout program. He explained that he had to narrow down the focus of where to start this project. Based on the analysis, Phase 1 should be the Roosevelt Boulevard area. There are 11 properties that are contiguous with each other and adjacent to Truman Field. The Land Conservancy believes that the County would pay for a percentage of the project since there is an open space component and a recreation component being next to Truman Field. Another portion would come from the Green Acres Planning share account. The rest would come from Oakland's Open Space Trust Fund if Oakland is willing to put the Open space money in.

Councilwoman Marcalus questioned why insurance companies are not interested in getting these people off the land. She asked if the Borough has to fix the roads when it floods in that area. Mr. Kunze responded we do have to fix Roosevelt. FEMA pays 75% of the cost and the Borough has to pay 25%. Councilwoman Marcalus could not believe that the Federal government and insurance companies are not interested in getting rid of these properties. Mr. Kunze responded that FEMA does have a buyout program but it is currently in flux. Mr. Cela advised that there are two pots of FEMA money. There is direct disaster money which comes into play right after a disaster. The flood buyout program is based on severe repetitive loss.

Councilman Jensen asked if the picture being displayed was taken recently after flooding. Mr. Cela responded it was taken after 2007. Councilman Jensen questioned why the brick house on the right was not being included. Mr. Cela advised that property owner did not respond. Councilman Jensen advised that the property is abandoned. Mr. Cela responded he could add it to the list. Councilman Jensen responded that every one of those houses has a repetitive flooding issue.

Mr. Cela commented that we need to get Bergen County on board with this project. Councilman Visconti questioned if Bergen County open space fund gives blue acres grants. Mr. Cela responded that they do not currently but the Land Conservancy thinks this is such a good project that the County will agree. He commented that the Land Conservancy would like authorization to contact the property owners for interest and start the process with Bergen County. Councilman Visconti asked what the open space balance is. Mr. Mangin responded that the balance is

\$500,000. Once the budget is adopted, there will be \$217,000. However, all the funds are committed to prior purchases. Councilman Visconti commented that there must be another referendum in November about the open space tax. He spoke about opening the use to include historical properties. He suggested maybe we could increase the amount to get money for the flood buyout project. Mr. Cela commented that there are no appraisals on the properties so he does not know how much they are worth. Councilman Visconti felt this is a great project to explore since there are a lot of contiguous properties next to a park. Mr. Cela advised that he can provide the Mayor and Council with a confidential cost estimate.

Mayor Schwager thanked Mr. Cela for a great presentation.

MAYOR'S REPORT:

Monday April 22nd was Earth Day. Indian Hills High School planted a 9-foot tree in memory of all students and teachers who have been injured as a result of school violence in America. This Friday is Arbor Day. A ceremony will take place at 1:00 at Valley Middle School and a tree will be planted in front of the school. The Shade Tree Commission will plant 30 trees to replace trees damaged during the hurricane. She advised that there is a group called NJ Together. It is a bipartisan group consisting of clergy working with Mayors against illegal guns. Mayor Schwager advised that Ramapo Indian Hills is installing a new lightning detection system. The K-8 schools have a new alert system. On Sunday April 28th, the Library will hold a jazz concert at the Senior Center. Mayor Schwager commented that she has gotten questions from residents about getting text alerts. Mr. Kunze advised that the system has the capability but the staff needs training. Mayor Schwager announced that the Baseball and Softball parade will be May 4th. On Sunday May 19th at 1 pm will be a re-dedication of the Danny D'Elia building. The April issue of 201 Family Magazine has an article on Dan Logatto and Oakland softball was named as one of the best spring programs. There will be a Drug Take Back Day on Saturday April 27th at the Oakland Police Department from 10 to 2.

OPENED FOR PUBLIC DISCUSSION:

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

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

Ed Hudsina, 576 Ramapo Valley Road, advised that Trout Unlimited only did one project in NJ. Everything done upstream affects downstream. It is going to affect neighbors downstream. Mr. Hudsina commented that in the past few years, projects have overexceeded the budget. In the future, the Mayor and Council should take a better look at projects. He told the Mayor and Council to stop spending taxpayer money on projects.

Laura Ernest, 160 Lakeshore Drive, commented that if the Borough bought the Pleasureland property which is in the flood zone, they can buy her property. She spoke about the permit which states the lake should be lowered 1" 72 hours in advance of rain. She sent a letter to the Oakland Patch explaining the problems. The President of RML refuses to cooperate and she is done talking to RML. RML is not maintaining their property. The town needs to go after them. She doesn't want to flood anymore and wants the town to do something for her and her neighbors. Mr. Chewcaskie advised that it is RML's lake and the permit is issued to RML. He believes the Borough has taken remedial action with the debris and they did not have to do that. Councilman Pignatelli asked if property maintenance can go after RML if they are not maintaining their property. Mr. Kunze responded that we can issue a summons and then give the property owner a

chance to fix the problem. Mayor Schwager advised that the Borough is setting up a meeting. She commented that the Borough was asked to set up a meeting by one of the neighbors before meeting with RML. Ms. Ernest asked what happens when the lake fills up and flooding occurs. Mayor Schwager advised that the meeting will go over resident's concerns. She advised that the Borough is working on this matter even if it is not moving as quickly as Ms. Ernest would like it to.

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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

APPROVE RAFFLE LICENSE RL1180

On motion of Councilwoman Stagg, seconded by Councilman Visconti, approval be granted for Raffle License RL1180 for the Blue & Gold Touchdown Club to hold an on-premise 50/50 raffle on May 31, 2013 at the Knights of Columbus, 7 Courthouse Place.

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

APPROVE RAFFLE LICENSE RL1181

On motion of Councilwoman Stagg, seconded by Councilman Jensen, approval be granted for Raffle License RL1181 for the Blue & Gold Touchdown Club to hold an on-premise raffle for merchandise on May 31, 2013 at Knights of Columbus, 7 Courthouse Place.

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

RESOLUTION 13-130 AUTHORIZE TAX REFUND BLOCK 5301, LOT 14

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 has received a request for a refund of a 2013 overpayment due to a duplicate payment of the first quarter 2013;

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 upon the advice of the Chief Financial Officer and Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
5301/14	Brian & Kathleen Schwerzier	\$3,589.61

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

RESOLUTION 13-131 SUPPORT S1896/A1503 TAX APPEAL BURDEN SHARING

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

WHEREAS, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

WHEREAS, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

WHEREAS, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

WHEREAS, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

WHEREAS, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

WHEREAS, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

WHEREAS, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

WHEREAS, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

WHEREAS, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby urge the swift passage and signing of S-1896/A-1503; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

Mayor Schwager advised that this legislation would require school districts and the County to share in the burden of tax reimbursements due to tax appeals. Mr. Mangin commented that when he first saw this legislation, he thought it was unworkable. However, he realized it does not impact the school and County budgets and would be a deduction on the following year's levy. It is an excellent working solution.

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

RESOLUTION 13-132 AUTHORIZE HIRE OF DPW LABORER

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

WHEREAS, the Borough of Oakland has a vacant full-time laborer position in the Department of Public Works; and

WHEREAS, Mr. Kevin Tirserio has successfully worked for the Borough as a seasonal laborer since May of 2010, gaining valuable experience and knowledge; and

WHEREAS, the Borough Administrator and Superintendent of Public Works recommend that Kevin Tirserio be appointed to fill the full-time vacancy; and

WHEREAS, the Borough Council believes such action to be in the best interest of the department and community;

NOW, THEREFORE, BE IT RESOLVED, that the Borough does hereby hire Kevin Tirserio as a laborer in the Department of Public Works effective April 24, 2013, at an annual salary of \$32,369.00

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

RESOLUTION 13-134 AUTHORIZE CHANGE ORDERS 6 & 7 DPW BUILDING PROJECT

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

WHEREAS, on August 25, 2012, a contract was awarded to Tekton Development Corp. for the renovations and additions to the DPW facility in the amount of \$ 2,579,000; and

WHEREAS, requests were made for the following Change Orders:

Change Order 6	furnish & install new CMU wall	\$ 10,395.00
Change Order 7	Delete 2 shower modules; supply &	
	Install shower valves, shower drains, sheet vinyl	\$ - 500.00
	Total Change orders 6 & 7	\$ 9,895.00

WHEREAS, the Change Orders have been reviewed and recommended by the Borough's architect, Keith Lesser of S & L Architecture Studio LLC; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-55-922-003;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Change Orders 6 & 7 in the total amount of \$ 9,895.00 to Tekton Development Corp.

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

RESOLUTION 13-135 LOSAP CERTIFICATION

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

WHEREAS, the Mayor and Council of the Borough of Oakland have authorized a Length of Service Award Program (LOSAP) for the Oakland Volunteer First Aid Squad and the Oakland Volunteer Fire Department; and

WHEREAS, the Oakland Volunteer First Aid Squad has certified 21 members eligible for a contribution based on their service during the year 2012; and

WHEREAS, the Oakland Volunteer Fire Department has certified 43 members eligible for a contribution based on their service during the year 2012; and

WHEREAS, the maximum contribution for the 2012 service year has been determined to be \$1,309.91;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, pending a mandatory 30 day review, the Chief Financial Officer is hereby authorized to pay Lincoln Financial, the LOSAP Trustee, up to the sum of \$83,834.24 as the Borough's contribution for the Oakland Volunteer First Aid Squad and the Oakland Volunteer Fire Department to the Plan for the year 2012.

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

PUBLIC HEARING ON BUDGET AMENDMENT 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, Marcalus, Pignatelli, Stagg, Visconti.

No comments from the public.

CLOSED FOR PUBLIC DISCUSSION:

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

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

RESOLUTION 13-133 ADOPTION OF BUDGET

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- | | |
|---------------------|--|
| (a) \$13,115,822.00 | for municipal purposes, and |
| (d) \$ 217,045.00 | for Open Space, Recreation, Farmland and Historic Preservation |
| (e) \$ 797,480.00 | Minimum Library Tax |

SUMMARY OF REVENUES

- | | |
|---|------------------|
| 1. <u>General Revenues</u> | |
| Surplus Anticipated | \$ 511,000.00 |
| Miscellaneous Revenue Anticipated | \$ 3,451,969.48 |
| Receipts from Delinquent Taxes | \$ 17,000.00 |
| | |
| 2. Amount to be Raised by Taxation for Municipal Purposes | \$ 13,115,822.00 |
| 3. Amount to be Raised by Taxation for Schools Type I | \$ 0.00 |
| 4. Amount to be Raised by Taxation for Schools Type II | \$ 0.00 |
| 5. Amount to be Raised by Taxation – Library Levy | \$ 797,480.00 |
| | |
| Total Revenues: | \$ 17,892,998.48 |

SUMMARY OF APPROPRIATIONS

- | | |
|---|------------------|
| 6. <u>General Appropriations</u> | |
| Within “CAPS” | |
| (a&b) Operations including Contingent | \$ 12,568,875.00 |
| (e) Deferred Charges and Statutory Expenditures | \$ 1,534,945.00 |
| Excluded from “CAPS” | |
| (a) Operations | \$ 1,312,736.48 |
| (c) Capital Improvements | \$ 219,500.00 |
| (d) Municipal Debt Service | \$ 1,422,135.00 |
| (e) Deferred Charges – Municipal | \$ 654,007.00 |
| | |
| (m) Reserve for Uncollected Taxes | \$ 180,800.00 |
| | |
| Total Appropriations | \$ 17,892,998.48 |

Mr. Mangin explained that the chart he handed out to the Mayor and Council projects forward for the next two years. This is a Best practices item from the State. He and Mr. Kunze did a realistic budget project. He explained that they are projecting a 1.37% increase for 2014 and a 1.35% increase for 2015. This translates to a \$36 increase on the average assessed home, assuming valuations remain the same. Councilman Pignatelli thinks it is interesting that there are 7 parts to a homeowners taxes and the municipality only controls 1 part. He commented that a lot of work goes into putting together these budgets and he thinks this is a good budget. Councilman Visconti advised that there was a decrease on municipal taxes for the average homeowner in 2011 and 2012. He thinks this is a good budget especially compared to other municipalities. He asked

residents for their input on ways to save money. Councilman Jensen commented that for every \$10,000 in taxes, approximately 67% goes to the school budgets, 26% to municipal and 10% to the County.

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

INTRODUCTION: ORDINANCE NO. 13-CODE-685 SOLAR PANEL ORDINANCE

The Clerk was directed to take from table Ordinance No. 13-Code-685 and read by title for its first reading.

The Clerk then read by title Ordinance No.13-Code-685 entitled: "AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance to Amend, Supplement And Revise The Code of The Borough of Oakland, Land Use, Chapter 59 Entitled "Land Use And Zoning" , be introduced;

That said Ordinance be considered for final adoption at a meeting on May 22, 2013 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before May 12, 2013 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

INTRODUCTION: ORDINANCE NO. 13-CODE-686 SALARY ORDINANCE AMENDMENT

The Clerk was directed to take from table Ordinance No. 13-Code-686 and read by title for its first reading.

The Clerk then read by title Ordinance No. 13-Code-686 entitled: " AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-12-CODE-666 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Amending And Reenacting Paragraphs 1 Through 16 Of Ordinance No-12-Code-666 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", be introduced;

That said Ordinance be considered for final adoption at a meeting on May 8, 2013 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before April 29, 2013 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

WORK SESSION:

RECREATION FEE ORDINANCE REVISIONS

Mr. Kunze explained that the Recreation Commission realized after we adopted the Fee ordinance that other changes had to be made. The requested changes address field rentals of one day only. It also adds private schools to be grandfathered to 2012 rates. This ordinance will be listed for introduction on May 8th.

AMEND BOSWELL CONTRACT FOR POTASH LAKE STORM SEWER REPAIR

Mr. Kunze explained he did not read the proposal correctly and there is a \$4,000 fee for services for preparing and submitting the DEP permit paperwork. Councilman Visconti questioned if this amount was budgeted for. Mr. Kunze responded it was. A resolution will be listed on May 8th.

AMEND S & L ARCHITECTURE CONTRACT FOR CONSTRUCTION ADMINISTRATION SERVICES FOR DPW BUILDING PROJECT AND AMEND EPIC CONTRACT FOR OWNERS REPRESENTATIVE SERVICES FOR DPW BUILDING PROJECT

Mr. Kunze explained that the initial time frame for the project was 7 months. There were delays due to Hurricane Sandy, asbestos remediation and a gas coordination issue with P.S.E. & G. Both the architect and the owners representative have a 7 month contract. The project should wrap up by the end of June so we need to extend those contracts. S & L was able to give a reduced amount and the cost would be \$11,000 for the additional two months. Epic's contract would cost an additional \$10,000 per month for two months. Mr. Kunze advised that there is a progress meeting scheduled for tomorrow and he will get an updated project schedule from Tekton. Councilwoman Marcalus questioned if insurance could cover the delay costs since it was due to Hurricane Sandy. Mr. Kunze responded he was not sure but would ask. Councilman Visconti advised he does not have a problem extending the contracts. However, he does have a problem with S & L's request for additional services. He wants to meet with them.

AMEND BURGIS CONTRACT FOR PLAN CONFORMANCE WORK

Mr. Kunze explained that the Borough Planner is analyzing the new materials that the Highlands Council sent in. He is scheduled to make a presentation to the Mayor and Council on May 22nd before we have to respond to the Highlands Council. There is grant money available to cover the contract amendment. Councilman Visconti explained that the Borough is giving up planning rights to conform to the Highlands. In doing that, the Highlands Council helps the Borough with grant money and the wastewater management plan. Councilwoman Stagg commented that this is going to take a lot of research and a copy of the letter should be sent to the Water and Sewer Engineer.

COUNCIL REPORTS:

Councilwoman Coira: The Recreation Commission will meet on April 29th at 8 pm. Soccer and summer camp sign up information is on the Recreation website. Information will be forthcoming

about football and cheerleading signups. The Baseball and Softball parade will be held on May 4th. On May 19th, there will be a re-dedication of the Danny D'Elia Building. The Shade Tree Committee will meet on May 6th at 7 pm. This Friday at 1:15 pm there will be an Arbor Day ceremony and a tree will be planted at Valley Middle School.

Councilman Jensen: The Public Events Committee will meet on May 13th at the Senior Center at 7:30 pm. The Memorial Day Parade will be held on Sunday May 26th. The Lakeshore Drive Bank stabilization project is just about complete. The brick façade on the DPW building is being put up.

Councilman Pignatelli: The Drug Take Back program was started by the DEA five years ago. They have collected over 1 ton of unused medication. He advised that medication should not be disposed of in the garbage because it will harm the environment.

Councilwoman Stagg: The Water and Sewer Committee will meet Tuesday April 30th. The Flood Commission meets the 2nd Monday of each month and the Environmental Commission meets the first Tuesday of the month.

Councilwoman Marcalus: The K-8 school budget passed. She offered congratulations to the new school board member Carita Shelkin. The Ramapo Indian Hills art show starts tonight. The information tech university students placed third in the NJIT web design competition. The 2013 Library book sale was a huge success and made \$3,700.

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, Marcalus, Pignatelli, Stagg, Visconti.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Visconti, seconded by Councilman Jensen, 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, Marcalus, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilman Jensen, seconded by Councilman Pigtelli, the meeting be adjourned at 9:38 pm.

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

Lisa M. Duncan, Borough Clerk
May 8, 2013

Mayor Linda H. Schwager

Date Approved