

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 14, 2014

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Stagg, seconded by Councilman Jensen, 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:
Tekton; Bi-County
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, Kulmala, Pignatelli, Stagg, Visconti.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Council President Visconti at 7:35 pm.

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

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Councilman Visconti 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:

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the absence of Mayor Schwager be excused.

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

CERTIFICATES FOR ROLLER HOCKEY TEAM:

Certificates were given to the Roller Hockey team that won the Roller Hockey Clinic Championship. Councilman Visconti thanked the coaches-Glen Falsetta, Dan Lenc, Brian Fassett, and Ed King- and the parents for helping to make the program successful.

James Barry	Owen Caufield	Evan Copchonak	Zachary Fassett
Dylan Kucharski	Brody Lenc	Sebastian Leon	Anthony Masefield
Liam McQuillen	Adam Moskal	Jamie Rittgers	Jared Silvestri
Cooper Snee	Anthony Urciuoli	Brady Vella	Justin Vitale

OPENED FOR PUBLIC DISCUSSION:

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

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

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, Visconti.

APPROVAL OF MINUTES: MARCH 29, 2014 BUDGET

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council Budget meeting of March 29, 2014 be approved.

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

APPROVAL OF MINUTES: APRIL 1, 2014 BUDGET

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council Budget meeting of April 1, 2014 be approved.

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

APPROVE RAFFLE LICENSE RL1217

On motion of Councilwoman Stagg, seconded by Councilman Jensen, approval be granted for Raffle License RL1217 for Reed Academy Inc. to hold an off-premise raffle for merchandise on November 20, 2014 at 3 pm at Reed Academy, 25 Potash Road.

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

APPROVE RAFFLE LICENSE RL1218

On motion of Councilwoman Stagg, seconded by Councilman Kulmala, approval be granted for Raffle License RL1218 for Blue & Gold Touchdown Club to hold an off-premise 50/50 raffle on June 28, 2014 at 8 pm at the Oakland Recreation Fields.

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

RESOLUTION 14-117

Councilman Visconti explained this resolution will remain on the table.

RESOLUTION 14-128 AUTHORIZE CO-SPONSORSHIP AGREEMENT CARNIVAL

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

WHEREAS, the Borough of Oakland and the Ramapo Bergen Animal Refuge Inc. of Oakland wish to co-sponsor the 2014 Oakland carnival; and

WHEREAS, the Borough of Oakland and the Ramapo Bergen Animal Refuge Inc. have determined that it is in the best interest of the Borough and the Ramapo Bergen Animal Refuge Inc. to enter into a Co-Sponsorship Agreement in order to set forth the respective responsibilities with respect to the carnival and to authorize the execution of the Co-Sponsorship Agreement.

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

1. The Mayor and Borough Clerk are authorized to execute the Co-Sponsorship Agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Ramapo Bergen Animal Refuge Inc.

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

RESOLUTION 14-129 AWARD BID-RECREATION LIGHTING

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

WHEREAS, on April 1, 2014, the Borough of Oakland received six (6) bids for the Recreation Complex Lighting Project; and

WHEREAS, Quality Electrical Construction Co., 290 Laurel Avenue, W.Keansburg, NJ 07734, was the lowest responsive and responsible bidder with a base bid of \$1,067,000.00; and

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the bids and recommend the bid be awarded to Quality Electrical Construction Co.; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-670-102 \$ 400,000 and Account # C-04-56-690-102 \$ 667,000;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award the bid for the Recreation Complex Lighting Project to Quality Electrical Construction Co. of W.Keansburg, NJ in the amount of \$ 1,067,000.00; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the agreement on behalf of the Borough of Oakland.

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

RESOLUTION 14-130 AUTHORIZE SENIOR CENTER BUILDING USE POLICY-TABLED

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

WHEREAS, there is a need to adopt a policy for the use of the Senior Center building;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorizes adoption of the Senior Center Facility Use Policy attached to this resolution.

Discussion ensued. Councilman Pignatelli advised he wanted input from the Council on the policy. He asked if it should be limited to Oakland non-profit groups. He asked if it should be free of charge to only Oakland groups. Councilman Jensen believes it should be limited to no charge for Oakland non-profits only. He thinks there should be a fee for out-of-town groups. Councilman Kulmala questioned if out-of-town groups should be allowed. Councilman Pignatelli responded that they can come to the Senior Center but suggested those groups should get charged a fee. Mr. Kunze responded there are other Senior Centers that do charge outside organizations. He would want to charge a comparable rate. Mr. Chewcaskie advised that his initial inclination is to leave it to Oakland non-profit groups. He suggested that the Senior Center Director should be consulted to see if she wants to consider outside organizations. Councilman Visconti thinks it would be worthwhile to limit to Oakland groups. He asked what would happen if the Regional high school district wants to use the building. Mr. Kunze responded that when the Borough

established the field use policy, there were different tiers of groups that were given priority for usage. He explained that could be established in this policy for the schools. Mr. Chewcaskie suggested this be tabled to the next meeting.

MOTION TO TABLE

On motion of Councilman Pignatelli, seconded by Councilman Jensen, Resolution 14-130 be tabled.

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

RESOLUTION 14-131 AUTHORIZE GRANT WRITING SPECIALIST

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

WHEREAS, the Borough of Oakland will submit an application to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act grant programs for Safe Routes to Schools-School Safety Impacts in the Borough; and

WHEREAS, the Mayor and Council have determined assistance is needed for preparation of the application and is seeking the services of grant specialists Capital Alternatives Corporation; and

WHEREAS, Capital Alternatives Corporation shall be paid a 10% Fulfillment Fee for a municipal-authorized and awarded application in accordance with the terms and conditions of a standard CAC contract; and

WHEREAS, this is a professional services contract for which no bidding is required; and

WHEREAS, Capital Alternatives Corporation has complied with the Borough of Oakland's Pay-To-Play requirements; and

WHEREAS, the Chief Financial Officer has certified that, upon award of grant funds, the funds will be made available from a future capital bond ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Capital Alternatives Corporation for preparation of the application for the DOT Safe Routes to Schools grant; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough.

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

RESOLUTION 14-132 AUTHORIZE TAX APPEAL SETTLEMENT BLOCK 2601, LOT 6

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

WHEREAS, Zaina Group, LLC, f/k/a Zohra, LLC is the owner of property known as Block 2601, Lot 6, located at 78 Ramapo Valley Road, and has appealed the 2010, 2011, 2012, and 2013 real property tax assessments; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled Zaina Group, LLC, f/k/a Zohra, LLC vs Borough of Oakland, whereby the 2010 assessment of \$648,200 will be reduced to \$598,200; the 2011 assessment will be affirmed; the 2012 assessment will be affirmed; and for tax year 2013, the taxpayer agrees not to appeal or re-file the prior dismissal of the complaint, resulting in a total refund of \$1,049.00; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund.

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

RESOLUTION 14-133 AUTHORIZE TAX APPEAL SETTLEMENT BLOCK 201, LOT 5
On motion of Councilman Jensen, seconded by Councilwoman Stagg, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, Ardizzone, now known as Bayview Filmed Entertainment, LLC is the owner of property known as Block 201, Lot 5, located at 40 Edison Avenue, and has appealed the 2013 and 2014 real property tax assessments; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled Ardizzone & Bayview Filmed Entertainment, LLC vs Borough of Oakland, whereby the 2013 assessment of \$1,006,900 will be reduced to \$900,000, and the 2014 assessment of \$1,006,900 will be reduced to \$900,000, resulting in a total two year refund of \$5,486.00; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund.

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

RESOLUTION 14-134 AUTHORIZE RECREATION REFUND
On motion of Councilman Jensen, seconded by Councilwoman Stagg, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, on April 9, 2014, the Mayor and Council adopted Resolution 14-115 to authorize a refund of recreation fees; and

WHEREAS, the refund amount of \$108.00 for David Gonzalez was incorrect; and

WHEREAS, the Recreation Commission has already approved the refund request; and

WHEREAS, N.J.S.A. 40A:5-17 requires Governing Body approval for refunds;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the following refund:

David Gonzalez, 27 Iroquois Avenue, Oakland, NJ 07436 refund due \$179.00 for travel baseball fee

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

RESOLUTION 14-135 AUTHORIZED ACCRUED TIME PAYOUT FOR DEBBIE KREBS
On motion of Councilman Jensen, seconded by Councilwoman Stagg, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees; and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee; and

WHEREAS, the Borough Administrator has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Deborah Krebs for sick and vacation time accumulated in the amount of \$7,854.38; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$7,854.38 composed of 105 hours of sick and 105 hours of vacation time be paid out to Deborah Krebs. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

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

RESOLUTION 14-136 CHANGE ORDER-TEKTON
On motion of Councilman Jensen, 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 Order:

Change Order 33	Contract price reduction in conjunction with	
	Contract completion date extension for additional	
	Costs incurred by Borough	\$ - 937.50

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Change Order 33 for a contract price reduction of \$- 937.50 to Tekton Development Corp.

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

RESOLUTION 14-137 CONTRACT AMENDMENT-EPIC

On motion of Councilman Jensen, seconded by Councilwoman Stagg, 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 April 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 May 9, 2014.

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

RESOLUTION 14-138 CONTRACT AMENDMENT-S & L ARCHITECTURE

On motion of Councilman Jensen, seconded by Councilwoman Stagg, 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 \$ 937.50 to continue providing needed services while construction continues; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account C-04-56-663-100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the amendment to S&L Architecture Studio's contract for the period of April 1 through April 30, 2014 at a total cost of \$937.50.

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

RESOLUTION 14-139 CHANGE ORDER –ROAD PAVING PROGRAM

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

WHEREAS, on April 9, 2014, a contract was awarded to Smith-Sondy Asphalt Construction Co. in the amount of \$ 549,381.58 for the 2014 Road Program; and

WHEREAS, during construction it was determined that there is a drainage problem on Terhune Street that must be repaired prior to paving; and

WHEREAS, Smith-Sondy Asphalt Construction Co., has submitted Change Order #1 in the amount of \$12,600 for the repairs; and

WHEREAS, the Change Order has been reviewed and recommended by the Borough's Engineer, Boswell McClave; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-690-301;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize Change Order #1 to Smith-Sondy Asphalt Construction Co., in the amount of \$ 12,600.

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

RESOLUTION 14-140 RATIFY AND CONFIRM APPOINTMENT OF CFO

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

WHEREAS, a special meeting of the Mayor and Council was held on May 5, 2014, to adopt Resolution 14-123 for appointment of a Chief Financial Officer;

BE IT RESOLVED that the Mayor and Council hereby ratify and confirm the appointment of Kunjesh Trivedi as Chief Financial Officer/Treasurer for the Borough of Oakland at an annual salary of \$98,000 effective for a term commencing Monday, June 2, 2014, and running through December 31, 2017.

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

RESOLUTION 14-141 AUTHORIZE REFUND RECREATION FEE

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

WHEREAS, the Borough of Oakland has received a request for refund of Recreation Fees in the amount of \$ 35.00; and

WHEREAS, the Recreation Commission has approved the request for refund;

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 a refund to:

Lora Miller, 32 Seminole Ave, Oakland, NJ 04736 (daughter Halle), total refund \$ 35.00

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

RESOLUTION 14-142 AUTHORIZE APPLICATION FOR SAFE ROUTES TO SCHOOLS GRANT

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

WHEREAS, the Borough of Oakland, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

WHEREAS, the funds are provided under the Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the Heights Elementary School Safety Project meets all the criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the Heights Elementary School Safety Project will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of Oakland Borough; and

WHEREAS, the Borough of Oakland agrees to assume a commitment for maintenance of the project after construction is completed for at least a period of twenty (20) years from project completion; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey authorizes the Mayor to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the Heights Elementary School Safety Project, SRS-2014 Heights Elementary School Safety Project-00107.

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

INTRODUCTION: ORDINANCE NO. 14-CODE-702 AMENDMENT TO SALARY ORDINANCE

The Clerk was directed to take from table Ordinance No. 14-Code-702 and read by title for its first reading.

The Clerk then read by title Ordinance No. 14-Code-702 entitled: " AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-13-CODE-694 TITLED "THE CODE OF THE BOROUGH OF OAKLAND,

COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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-13-Code-694 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 28, 2014 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 19, 2014 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.

Mr. Kunze explained that when the Planning Board secretary was moved to his office, it creates a vacancy in the Planning Board office. He explained that we are going to hire a part-time administrative person for the Planning Board office. Ms. Gurney is going to continue to attend the meetings and do the minutes. The change will save money but the job titles need to be put in the salary ordinance. Councilwoman Stagg doesn't follow this change. This sounds like a duplication of titles. Councilman Visconti advised that in theory, we are taking a full-time position out and are putting a part-time position in.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Visconti.
Nay, Councilwoman Stagg.

WORK SESSION:

AMEND PUBLIC DEFENDER CONTRACT:

Mr. Kunze advised that a contract was awarded at the beginning of the year for a set fee per court session. The Public Defender asked for special consideration to amend the contract if she needs to do something pertaining to the case outside a court session such as take testimony at the jail. This situation does not happen often. If the Council does want to entertain this, there needs to be a minor adjustment to the contract and the funding would have to come from the Mayor and Council budget. Councilman Pignatelli asked if this has been done for any public defender in the past. Mr. Kunze responded that it hasn't been done before but past contracts were not structured that way. Councilman Pignatelli does not like seeing a change to the budget after its adopted. He does not see a need to amend the contract. Councilman Jensen asked how often this will happen. Mr. Kunze responded it is a rare case. The prior public defender never brought it up because we paid a flat fee. We changed from a flat fee because it created issues if the alternate covered a court session. Therefore, we went to a fee per court session. Councilman Pignatelli thinks \$300 per session is fair. Councilman Kulmala asked how Franklin Lakes or Wyckoff handles this situation. Mr. Kunze responded he would have to look at their contracts. Councilwoman Stagg thinks we should find out what other towns do. If someone goes above and beyond their scope of duties, she thinks compensation is due. Councilman Kulmala would like to get information from surrounding towns. This item will be carried to the May 28th meeting.

BOSWELL-PROPOSAL FOR CONSTRUCTION ADMINISTRATION RECREATION LIGHTING

Mr. Kunze explained that we issued a contract to Boswell for design. Now we need to issue a contract for construction administration. It equates to approximately 6% of the construction costs. Councilman Jensen thinks the price is fair. Councilwoman Stagg asked if Boswell expects to be onsite full-time. Borough Engineer Rebecca Mejia responded that they need to be onsite full-time due to the nature of the project. A resolution will be listed on the May 28th agenda.

NEW BUSINESS:

Councilman Kulmala mentioned the Borough vehicles stored at the Recreation field and advised that people are dumping electronics there now. He feels it is a safety hazard.

COUNCIL REPORTS:

Councilwoman Coira: Football and cheerleading signups are ongoing. Information for summer sports camps and clinics will be listed on the Recreation website. The Recreation Commission purchased 5 bike racks which will earn the Borough points for the Green Team. The Baseball parade will be held on June 7th at 9 am. The next Recreation Commission meeting will be held on Monday May 19th.

Councilman Jensen: The Memorial Day Parade will be held on May 25th at 1 pm. There was a nice turnout for the dedication of Stewart's Woods last week. The next Public Events Committee meeting will be held June 9th. There will be a special meeting on June 30th and no meeting held in July.

Councilwoman Stagg: No report.

Councilman Kulmala: The OEM held a cleanup of Allerman Brook last Saturday. At the last Recreation meeting, there was an open discussion with the Police and Board of Education members about the safety of the kids. The Thank Hank Roth event was held last weekend.

Councilman Visconti: The first interview with a Library architect candidate was held today. There are three more interviews scheduled. All the candidates have outstanding credentials. There will be a presentation to the public after an architect is selected and a design is done. The Great Oak Park Committee met last night. The cleanup was held at the Park. A lot of material was taken away but there is a lot more work to do. Councilman Visconti walked the property with the DEP and Boswell Engineering. The DEP wants additional drawings submitted. We still need to get DEP permits. The Flood Commission meeting was held Monday night. They spoke of the possibility of raising homes. Flood Commission member Tony Smid attended a meeting with the DEP. The next Flood Commission meeting will be held the second Monday in June. A mailer was sent about the Community Rating System.

Councilman Kulmala advised he attended a meeting with FEMA representatives about Hurricane Sandy. FEMA had someone in attendance whose job is to act as a liaison to local municipalities. Councilman Visconti suggested maybe they can schedule to come to the next Flood Commission meeting.

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, Visconti.

No comments made.

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, Kulmala, Pignatelli, Stagg, Visconti.

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, Visconti.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the meeting be adjourned at 8:22 pm.

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

Lisa M. Duncan, Borough Clerk
May 28, 2014

Mayor Linda H. Schwager

Date Approved