

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JUNE 8, 2016

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Talamini, seconded by Councilman Kulmala, 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-Ramapo River Project; Van Allen House; COAH; Personnel
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

ROLL CALL: All yeas, Councilmembers Biale, Jensen, Kulmala, Talamini.

Councilwoman Coira entered the meeting at 7:00 pm.

Discussion ensued over issues with the grants for Van Allen House; potential litigation on the Ramapo River project, COAH updates and personnel matters. No action taken.

Councilman Visconti entered the meeting at 7:27 pm.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Jensen, seconded by Councilman Biale, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:34 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti. Absent: None. 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.

MAYOR'S REPORT:

Mayor Schwager advised that tonight was supposed to be Student Government night for the Valley Middle School student council but they cancelled at the last minute. Mayor Schwager thanked the American Legion and the Public Events Committee for their work on the Memorial Day Parade and ceremony. Pat Pignatelli was a very deserving Grand Marshall. This past Saturday was the Baseball and Softball parade. The event was sponsored by the Recreation Commission, Sports Association, Public Events Committee and Community of Commerce. Mayor Schwager congratulated Kathy Fahey and Mike Donovan for being inducted into the Oakland Sports Hall of Fame. Amanda Masefield, a 6th grader, sang the National Anthem and Dylan Balsamo, a 10th grader from Indian Hills High School, was the M.C. Mayor Schwager congratulated the Indian Hills Robotics Team for winning five trophies. The Oakland Library is holding summer programs for adults and children. Bergen County will sponsor a Homeownership Fair on Saturday June 11th from 9 to 1 pm at the Marriott Glenpointe in Teaneck. The Carnival will be Wednesday June 15th to Saturday June 18th. The fireworks will be held on Saturday June 18th. Mayor Schwager advised that she has received emails and phone calls about the No parking signs on Walnut Street. She apologized to the residents. There will be a Public Safety Committee meeting next week to discuss the issue. Apparently there has been an ordinance on the books since 1985. The residents should have been notified about what is happening with the signs.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

Ryan Schwertfeger, 186 Hiawatha Blvd, advised that there will be an unofficial first fundraiser for the dog park. It will be a garage sale at 186 Hiawatha Blvd on Saturday June 11th and Sunday June 12th. He advised that the dog park still needs official approval from the Mayor and Council.

Mike Pritchard, 23 Calumet, questioned the fire house renovations and asked if the Borough is building for future needs since apparatus is getting bigger and longer. Mr. Kunze advised that this project has been in planning stages for awhile. The Fire Department is comfortable with the scope of work which is being done to fit the newest fire engine. Councilman Kulmala explained that the work is being done on the original part of the fire house to accommodate the larger vehicle. Mr. Pritchard advised the Mayor and Council that they can move the school board election to November and quoted the legislation.

John Ianzano, 102 Walnut Street, thanked the Mayor and Council for addressing the parking issue on Walnut Street. He encouraged the Public Safety Committee to see if there is a problem on Walnut that would actually warrant No parking signs to be put up. He explained that the residents on Walnut Street are getting slammed with the new ordinance and no parking on both sides of the street between 7 and 11 am and the old ordinance with no parking permitted at all on the one side of the street. Mayor Schwager advised if any resident has an emergency parking situation, they can notify the Police Department. Councilman Kulmala advised that an emergency meeting of the Public Safety Committee has been called for next week. They will try to understand the thinking in 1985 when the ordinance was adopted. Mr. Ianzano responded that he hoped the Mayor and Council would reverse the ordinance if the need for No parking is not there.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

APPROVAL OF MINUTES: MAY 25, 2016

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of May 25, 2016 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Kulmala, Talamini.
Abstain, Councilmembers Jensen, Visconti.

APPROVE RAFFLE LICENSE RL1279

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted for Raffle License RL1279 for New Friends of the Oakland Public Library to hold an on-premise raffle for merchandise on June 25, 2016 at the Oakland Public Library, 2 Municipal Plaza.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

APPROVE RAFFLE LICENSE RL1280

On motion of Councilman Biale, seconded by Councilman Visconti, approval be granted for Raffle License RL1280 for Oakland PBA Local #164 to hold an on-premise raffle for merchandise on June 18, 2016 at the Oakland Recreation Fields.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

RESOLUTION 16-127 RECORDS CUSTODIAN FOR POLICE DEPARTMENT

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

WHEREAS, the Open Public Records Act requires the designation of the Custodian of Records; and

WHEREAS, the Municipal Clerk is the Custodian of Records for the Borough of Oakland; and

WHEREAS, it has been determined that a Custodian of Records should be appointed for the Oakland Police Department; and

WHEREAS, Chief Edward Kasper has recommended that Lt. Christian Eldridge be appointed as Custodian of Records for the Oakland Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland Lt. Christian Eldridge is hereby designated as the Custodian of Records for the Oakland Police Department.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

RESOLUTION 16-128 LIQUOR LICENSE RENEWALS

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

WHEREAS, the licensees, herein named, filed applications for renewal of their Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the period from July 1, 2016 to June 30, 2017, and

WHEREAS, the said applicants have deposited the required fee of \$2,000.00 for said licenses, with the exception of the Club Licenses which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED that the renewals be issued to the following licenses, pending receipt of all required paperwork from the NJ State Division of Taxation, for the period from July 1, 2016 to June 30, 2017:

NAME	LOCATION	STATE NUMBER
Long Hill Bar & Liquors	14 Post Road	0242-44-004-005
Bistro 202, LLC	588 Ramapo Valley Road	0242-33-005-012
Hansil's Bar & Grill Inc.	7 Ramapo Valley Road	0242-33-011-004
Beviamo, Inc.(Portobello)	155 Ramapo Valley Rd.	0242-33-010-003
Wolfpack, Ltd.(Timbers)	110 W. Oakland Ave.	0242-33-008-009

Valley Spirits, Inc.(Oakland Wine & Liquor)	390 Ramapo Valley Rd.	0242-44-006-005
G & H Restaurant Corp.(Oakland Diner)	72 Ramapo Valley Road	0242-33-009-006
American Legion Post 369	65 Oak Street	0242-31-013-001
Knights of Columbus 5846	7 Courthouse Place	0242-31-017-001
Buona Fortuna, Inc.(new Portobello)	175 Ramapo Valley Road	0242-33-002-004
PCJJ, LLC (W's Grill)	20 Elm Street	0242-33-007-012
Ruga Restaurant, LLC/dba Trovato's Due	4 Barbara Lane	0242-33-001-012

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to submit one copy of a certified resolution to the Alcoholic Beverage Control Commission, Trenton, and one certified copy of this resolution to the State of New Jersey, Department of the Treasury, Beverage Tax Bureau, Trenton, New Jersey.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

RESOLUTION 16-129 AUTHORIZE B.C. GRANT-ROLLER HOCKEY RINK

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$17,125.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled Roller Hockey Rink Resurfacing located in Lot 1, Block 1901 on the tax maps of the Borough of Oakland;

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize Mayor Linda H. Schwager to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2018; and

BE IT FURTHER RESOLVED that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirement.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

RESOLUTION 16-130 REFUND TAX OVERPAYMENT BLOCK 4301, LOT 11

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

WHEREAS, an overpayment has been made to Block 4301 Lot 11, better known as 67 Thackeray Road, due to a Homestead Credit on a Fully Exempt Veteran's account;

THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Treasurer is authorized and directed to refund the amount as stated below:

Paul & Jacqueline Denero
67 Thackeray Road
Oakland, NJ 07436

Block: 4301 Lot: 11
67 Thackeray Road
Refund: \$ 914.06

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Oakland that copies of this resolution be provided to the Tax Collector and the Treasurer.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO. 16-BOND-737

The Clerk was directed to take from the table Ordinance No.16-Bond-737 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE OF THE BOROUGH OF OAKLAND APPROPRIATING \$149,000 DEPARTMENT OF TRANSPORTATION GRANT FOR THE PAGE DRIVE PROJECT"

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by Councilman Visconti, this portion of the meeting be open for public discussion.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed on a roll call vote.

BE IT RESOLVED that an Ordinance entitled, " An Ordinance Of The Borough Of Oakland Appropriating \$149,000 Department Of Transportation Grant For The Page Drive Project, be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

WORK SESSION:

BERGEN COUNTY SNOW REMOVAL CONTRACT:

Mr. Kunze advised that the Borough is able to provide a higher level of service with snow plowing County roads. The County pays the Borough to do the work. This arrangement has worked well. He recommends this contract be renewed for a new two-year term. A resolution will be listed on the next agenda.

SUPPORT S2107:

Mr. Kunze explained that a couple of years ago, the State issued guidance on what constitutes a bona fide retirement. The State says there must be complete termination of the employee's relationship with the employer for 180 days and that includes volunteer activities. If someone engages in volunteer activities within that 180 days of retirement, they would jeopardize their pension. This proposed legislation would rectify part of the problem for those that serve as volunteer firefighters at least. Mr. Kunze recommends supporting the effort to exempt volunteer activities from the definition of "public employment" for retirement purposes. A resolution of support will be listed on the next agenda.

HIGHLANDS OPEN SPACE APPLICATION:

Mr. Kunze explained that the Highlands Council recently announced the first grant funding round of their new Open Space Partnership Funding Program. Under the program, we may be able to obtain an amount of up to 50% of the total purchase price of the Bi-County property. The application deadline is September 16th so the Land Conservancy should get started on this application.

COMMUNITY DEVELOPMENT REPRESENTATIVES:

Mr. Kunze explained that the representatives to the Community Development Block Grant Committee must be appointed before July 1st. Mr. Kunze explained that he has served as the Mayor's representative and would like to continue in that role. The Council must also choose a representative which is usually one of the Council members. Councilman Biale volunteered to be the representative. A resolution will be listed on the next agenda.

COUNCIL REPORTS:

Councilwoman Coira: The Recreation summer sports camp sign ups are underway. There will be a CPR training and certification class on June 25th at 9 am. The Environmental Commission met and they brought up the topic of the Green Team. She advised if anyone is interested in volunteering for the Green Team, to contact a Council person or the Mayor. Mr. Kunze advised

that the current Sustainable Jersey certification runs through 2017. It is a lot of work so it is important to start on that process now.

Councilman Jensen: The Planning Board will meet on June 9th at 7 pm at the Senior Center. The Fire Department Ladies Auxiliary will hold a Fish and Chips on June 11th from 5 to 7 pm.

Councilman Visconti: There will be a meeting of the Park Committee on June 21st at 8 pm at the Danny D'Elia building. Plans and concepts for the dog park will be presented. There will be fundraiser for the dog park on June 11th and 12th at 186 Hiawatha Blvd. The Library is continuing to work on conceptual design. They are doing due diligence on HVAC and items that could impact the cost of the project if they are not addressed now. The Flood Commission meets Monday June 13th at 7:30 pm.

Councilman Biale: The Senior Club will meet on June 9th. There will be an "Ask John" session. Councilman Biale spoke about street lighting. We are moving forward with Rockland Electric's program for 15 free LED lights near Heights and Dogwood Schools. The LED lights cost less to operate. We are now in discussion about what size lights to use. Councilman Talamini questioned the color of the lights. Councilman Biale responded they are white.

Councilman Kulmala: The OCC is finishing Crossroads. They covered the parade last week. There is a game of the week that is now airing. The OCC needs volunteers. The next meeting will be on June 15th at Borough Hall. There will be an emergency meeting next week of the Public Safety Committee to discuss the Walnut Street parking. The Fire Department is still doing drills at the Roosevelt properties.

Councilman Talamini: June 17th is the last day of school. The schools held an art show at the Library. The carnival will take place June 15 to 18th. There will be pre-sale wristbands sold for \$ 20 that are good for any day of the carnival. There will be a shuttle bus on Friday and Saturday from Copper Tree Mall. The Board of Health will meet on June 21st at 7:30 pm.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

Shawn Ianzano, 102 Walnut Street, asked how the Borough will decide on where to put additional street lights. Councilman Biale responded that once we know how the LED lights work, we will do a walk thru. We will ask for resident input.

John Ianzano, 102 Walnut, commented that neighboring towns have solar panels on the utility poles. He asked if that money would go to the town. Councilman Biale responded those are P.S.E. & G poles. Mr. Kunze advised that Orange and Rockland does not have a comparable program. Councilman Visconti advised that a new program is coming in July that will pay 70% of the cost to retrofit light fixtures. Mr. Kunze advised that in 2010 and 2011, we did upgrades to lighting in Borough buildings and upgrades to the HVAC system.

Mayor Schwager commented that some light poles are covered by tree branches.

Mike Pritchard, 23 Calumet Avenue, advised that Orange and Rockland would need to trim branches around power lines.

Brian Reich, 91 Spear Street, questioned what kind of training is given to prepare the camp counselors in case of emergency for a missing or lost child. Councilman Biale advised there is protocol for the counselors to follow.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

BILLS TO BE PAID:

On motion of Councilman Talamini, seconded by Councilman Biale, 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 Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Visconti, the meeting be adjourned at 8:28 pm.

ROLL CALL: All yeas, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

Lisa M. Duncan, Borough Clerk
June 22, 2016

Mayor Linda H. Schwager

Date Approved