

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY AUGUST 14, 2013

EXECUTIVE SESSION WAS NOT HELD

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

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. Also Present: Deborah Krebs, Deputy Borough Clerk; Richard Kunze, Borough Administrator; Steven Muhlstock, 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.

MAYOR'S REPORT:

Mayor Schwager reported that tomorrow Bergen County would be holding a Health Fair at the Van Saun Park Zoo in Paramus from 4:00 to 7:00. She advised residents that roadwork would be done in the next couple weeks. Some of the roads have been milled and adjacent roads may be closed. There has been some rescheduling due to the weather. Lake Shore Drive and River Road will be done tomorrow. Lehigh and West Oakland Avenue will not be done by Friday. She received a call from a resident living on Wenonah about putting in speed bumps. Unfortunately, the road does not fit the criteria that are needed for speed bumps. In addition there is a new development being built off Ryerson which she received calls regarding the gates that separates Ryerson and the Industrial Park. She assured the residents that the gates would remain closed being opened only for emergencies. If a resident's property was damaged from Hurricane Sandy there is an HM Grant available to help with the costs to elevate your house. They can get the information from the state website or contact the Construction Office and speak to the Construction Official.

OPENED FOR PUBLIC DISCUSSION:

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

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

No one from the public wished to speak.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: JULY 24, 2013

On motion of Councilman Jensen, seconded by Councilwoman Marcalus, the minutes from the Mayor and Council meeting of July 24, 2013 be approved.

ROLL CALL: YEAS, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti

APPROVAL OF MINUTES: JUNE 26, 2013 EXECUTIVE

On motion of Councilman Stagg, seconded by Councilwoman Stagg, the minutes from the Mayor and Council Executive Session of June 26, 2013 be approved. Councilwoman Stagg abstained.

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

APPROVAL OF MINUTES: JULY 24, 2013 EXECUTIVE

On motion of Councilman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council Executive Session of July 24, 2013 be approved.

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

APPROVE SIGN REQUEST-FAMILY REACH FOUNDATION

On motion of Councilman Jensen, seconded by Councilwoman Stagg, approval be granted for the Family Reach Foundation to post a sign for the annual 5K run to be held on October 27, 2013.

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

APPROVE RAFFLE LICENSE RL1186

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, approval be granted for Raffle License RL1186 for Indian Hills PTSO to hold a calendar raffle for use of a student parking space and preferred seating for graduation.

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

APPROVE RAFFLE LICENSE RL1187

On motion of Councilwoman Stagg, seconded by Councilman Jensen, approval be granted for Raffle License RL1187 for Ramapo Bergen Animal Refuge Inc. to hold an on-premise 50/50 raffle on September 21, 2013 at 2 Shelter Lane.

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

APPROVE RAFFLE LICENSE RL1188

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, approval be granted for Raffle License RL1188 for Our Lady of Perpetual Help Church to hold an off-premise 50/50 raffle on November 30, 2013 at 5:00 pm at OLPH, 25 Purdue Avenue.

ROLL CALL: YEAS: Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg.
Councilman Visconti Abstained.

APPROVE RAFFLE LICENSE RL1189

On motion of Councilman Jensen, seconded by Councilman Visconti, approval be granted for Raffle License RL1189 for Ramapo Bergen Animal Refuge Inc. to hold an off-premise raffle for merchandise on February 9, 2014.

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

Mayor Schwager stated they have a new volunteer for the Public Events Committee, Susan Ferrary 26 Colgate Road. She has been a volunteer for the Oakland Farmers Market and has sent in her Leadership Form. On motioned by Councilwoman Marcalus, seconded by Councilman Jensen Susan Ferrary be approved as a member of the Public Events Committee.

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

RESOLUTION 13-195 CONTRACT AMENDMENT-EPIC MANAGEMENT, INC.

On motion of Councilwoman Marcalus, seconded by Councilwoman Coira, 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 August 9, 2013; and

WHEREAS, it is necessary to amend Epic's contract in order to extend an additional month at a cost of \$10,000 to continue providing needed services while construction continues; and

WHEREAS, the Chief Financial Office has certified that funds are available in Account #C-04-56-684-100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the amendment to Epic Management's contract for an additional month to September 9, 2013 at a total cost of \$10,000.00.

Discussion: Councilman Visconti stated they are having a meeting on the progress of the project and will be meeting to discuss this tomorrow.

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

RESOLUTION 13-196 CONTRACT AMENDMENT-S & L ARCHITECTURE

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

WHEREAS, a contract was issued to S & L Architecture Studio, LLC 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 \$ 5,500.00 in order to continue providing needed services while construction continues; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #C-04-56-684-100;

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 August 1 through August 31, 2013 at a total cost of \$ 5,500.00.

Discussion: Councilman Pignatelli questioned what services the Architect was providing. Administrator Kunze stated he has acted as the part of project manager team since the inception and he works in conjunction with the owner's representative.

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

RESOLUTION 13-197 CHANGE ORDER 20-DPW BUILDING PROJECT

On motion of Councilman Jensen, seconded by Councilman Visconti, 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 20 Sheetrock in training, copy, water rooms \$ 649.11

WHEREAS, the Change Order has 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 Order 20 in the total amount of \$ 649.11 to Tekton Development Corp.

Discussion: Councilman Pignatelli questioned why the sheetrock was not included in the original plans. Administrator Kunze stated it was an oversight and not in the original plans. Councilman Pignatelli and Councilwoman Stagg were not in favor of the amendment because sheetrock should have been in the plans from the beginning. Upon discussion, Attorney Muhlstrock, by letter, will put the Architect on Notice that the Council felt this was an item that should have been put in the plans and that he will be charged for this oversight.

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

RESOLUTION 13-198 AWARD BID-LIBRARY EXTERIOR RENOVATION

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

WHEREAS, bids were taken on August 1, 2013, for the Library Exterior Renovation Project; and

WHEREAS, PAX Mundus Enterprises, LLC submitted the lowest responsive, responsible bid in the amount of \$55,786.00; and

WHEREAS, the Borough Attorney has reviewed the bid and recommends a contract be awarded to PAX Mundus Enterprises, LLC; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-55-904-002

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the award of the contract to PAX Mundus Enterprises, LLC in the amount of \$55,786.00; and

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

Discussion: Councilman Jensen asked when the work would begin. Administrator Kunze stated the contractor will be notified tomorrow and they will discuss a timeframe and start date with him. His estimate is that it will take 2.5 weeks. Councilman Pignatelli stated that the bid was considerably lower than they anticipated. Councilwoman asked if there was any lead in the paint they would be scraping. Administrator Kunze stated lead paint removal is addressed in the bid.

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

RESOLUTION 13-199 AWARD CONTRACT TO BOSWELL-RECREATION LIGHTING

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

WHEREAS, the Borough of Oakland is in need of engineering services for the Recreation Field Lighting Project; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated July 17, 2013, in an amount not to exceed \$65,000.00 for the design phase; and

WHEREAS, Boswell McClave has complied with the Borough of Oakland's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012, and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-670-101

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby awards a contract to Boswell McClave Engineering in an amount not to exceed \$65,000.00; and

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

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

RESOLUTION 13-200 AWARD BID-IN CAR VIDEO SYSTEM

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

WHEREAS, bids were taken on July 2, 2013, for a Digital In-Car Video System; and

WHEREAS, WatchGuard Video was the only bidder with a bid of \$53,205.00; and

WHEREAS, the Police Chief and Borough Attorney have reviewed the bids and have recommended the bid be awarded to WatchGuard Video as the lowest responsive, responsible bidder; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # 3-01-25-240-058, \$1,429.90; C-04-56-636-112, \$19,775.00; C-04-56-653-504, \$16,000.00; and C-04-56-671-502, \$16,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to WatchGuard Video in the amount of \$53,205.00;

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

Discussion: Councilman Pignatelli stated the original system operated with VCR tapes and the new system will work with CD's.

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

RESOLUTION 13-201 AWARD CONTRACT-UTILITY AUDITS

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

WHEREAS, on September 5, 2012, the Borough of Westwood, acting as Lead Agency for the Pascack Valley Cooperative Pricing System (#107-PVCPS) received proposals for Utility Bill and Insurance Invoice Verification Audit and Potential Cost Recovery; and

WHEREAS, one bid was received from Neczus/Madison Cost Recovery; and

WHEREAS, the proposal was reviewed by the Administrators of Emerson, Hillsdale and Westwood on behalf of the Pascack Valley Cooperative Pricing Program; and

WHEREAS, the Administrators recommend awarding the contract to Neczus/Madison Cost Recovery; and

WHEREAS, The Northwest Bergen Cooperative Pricing System recently combined with the Pascack Valley Cooperative Pricing System to form the Northern New Jersey Regional Cooperative Pricing System (222NRCRS); and

WHEREAS, the Borough Council finds it desirous to conduct audits of its electric, street lighting, natural gas, landline telephone, land line data service, cell phone and cable TV bills;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland authorizes the award of a contract to Neczus/Madison Cost Recovery, P.O. Box 3, Chappaqua, NY 10514 via the Northern New Jersey Regional Cooperative Pricing System (222NRCRS) to conduct audits of the various utility bills noted above;

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Oakland authorizes the appropriate Borough Officials to prepare and execute a contract with Neczus/Madison Cost Recovery, with the cost of said contract to be a percentage of the savings found and/or credit to be paid to Neczus, pursuant to their bid document.

Discussion: Councilman Pignatelli questioned if this was one of the requirements under best practice checklist. Administrator Kunze responded yes.

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

RESOLUTION 13-202 INCREASE HOURS FOR MICHAEL TABBACK

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

WHEREAS, the Borough of Oakland's Building Inspector, Robert Cellini, will be taking a leave of absence which will leave an opening in the Building Department; and

WHEREAS, Michael Tabbac has the qualifications to perform the duties of Building Inspector; and

WHEREAS, it is necessary to increase the salary to compensate for the extra hours required for Mr. Tabbac in order to perform the extra duties;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize that Mr. Tabbac's salary be increased based on twelve additional hours per week, by \$400 per week effective August 5, 2013 for a period not to exceed six months; and

BE IT FURTHER RESOLVED that the extra compensation will cease when Mr. Cellini returns from his leave of absence.

ROLL CALL: YEAS, Councilmembers Coira, Jensen, Marcalus, Stagg, Visconti.

NAY: Councilman Pignatelli

RESOLUTION 13-203 APPROVE OPEN SPACE GRANT SUBMITTAL

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

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

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a grant of \$1,453,905 from the County Trust Fund to fund the following project: Flood Buyout Program- Roosevelt Boulevard, Phase I; and

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

WHEREAS, as part of the application process, the governing body has held a public hearing on July 24, 2013 to receive comments prior to the submission of said application(s); and

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

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

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

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

1. That it is hereby authorized to submit the above completed project application to the County by this year's deadline established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

Discussion: Councilwoman Stagg asked for a clarification on the dollar amount. Administrator Kunze explained the funding and the grants they are applying for. Councilman Jensen explained this is not mandatory but it is an opportunity, and

his opinion, that it would in the best interest for residents living in flood areas to sell and move on.

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

RESOLUTION 13-204 APPROVE PARK IMPROVEMENTS GRANT SUBMITTAL

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

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund") provides matching grants to municipal governments and to nonprofit Organizations for assistance in the development or redevelopment of municipal recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a matching grant of \$50,000.00 from the County Trust Fund to fund the following project: Recreation Complex Walking Path; and

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the governing body received public comments on the proposed park improvements in the application on July 24, 2013; and

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

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, Mayor and Council of the Borough of Oakland has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Mayor and Council of the Borough of Oakland is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. That the Mayor and Council of the Borough of Oakland agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

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

RESOLUTION 13-205 AMEND CONTRACT FOR APPRAISALS –ROOSEVELT BLVD.

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 awarded in the amount of \$3,250.00 to Joshua D. Mackoff, LLC for appraisal on five (5) properties on Roosevelt Boulevard that the Borough is interested in acquiring as part of a flood buyout program; and

WHEREAS, the owner of Block 1605, Lot 1 has expressed interest in participating in the program; and

WHEREAS, the contract for Joshua D. Mackoff, LLC must now be amended by an additional \$650.00 to include the appraisal of Block 1605, Lot 1; and

WHEREAS, the Chief Financial Officer has certified the funds are available in Account #3-01-55-999-021;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby amend the contract to Joshua D. Mackoff, LLC by an additional \$650.00 for a total contract price of \$3,950.00

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

RESOLUTION 13-206 AMEND CONTRACT FOR ADDITIONAL APPRAISALS-ROOSEVELT BLVD.

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

WHEREAS, a contract was awarded in the amount of \$4,500.00 to Integra Realty Resources for appraisals on five (5) properties on Roosevelt Boulevard that the Borough is interested in acquiring as part of a flood buyout program; and

WHEREAS, the owner of Block 1605, Lot 1 has expressed interest in participating in the program; and

WHEREAS, the contract for Integra Realty Resources must now be amended by an additional \$900.00 to include the potential appraisal of Block 1605, Lot 1; and

WHEREAS, the Chief Financial Officer has certified the funds are available in Account #3-01-55-999-021;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby amend the contract to Integra Realty Resources by an additional \$900.00 for a total contract price not to exceed \$5,400.00.

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

RESOLUTION 13-207 CHANGE ORDER 21 DEDUCTION FOR TEKTON

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, 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 21	Contract price reduction in conjunction with
	Contract completion date extension for additional
	Costs incurred by Borough
	\$ -17,198.80

WHEREAS, the Change Orders have 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 16 for a contract price reduction of \$ -17,198.80 to Tekton Development Corp.

Discussion: Councilman Jensen noted that this was a reduction. They are trying to make sure that the costs are not getting out of control and by charging back some of the costs of this contract.

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

**INTRODUCTION: ORDINANCE NO. 13-CODE-693 CONTINUATION OAK ST. AND
LAWLOR DRIVE**

The Clerk was directed to take from table Ordinance No. 13-Code-693 and read by title for its first reading.

The Clerk then read by title Ordinance No. 13-Code-693 entitled: " AN ORDINANCE ACCEPTING THE EXTENSIONS OF OAK STREET AND LAWLOR DRIVE PUBLIC RIGHT-OF-WAYS"

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 Accepting The Extensions Of Oak Street And Lawlor Drive Public Right-Of-Ways, be introduced;

That said Ordinance be considered for final adoption at a meeting on August 28, 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 August 19, 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.

FINAL PUBLIC HEARING: ORDINANCE NO. 13-BOND-690 2013 CAPITAL PROGRAM
The Clerk was directed to take from the table Ordinance No.13-Bond-690 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,832,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

OPENED FOR PUBLIC DISCUSSION:

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

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

No one from the public wished to speak.

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.

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Authorize The Making Of Various Public Improvements And The Acquisition Of A New Fire Engine, Including Original Apparatus And Equipment, In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$2,832,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds 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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO.13-CODE-691 OPEN SPACE REFERENDUM
The Clerk was directed to take from the table Ordinance No.13-Code-691 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "AN ORDINANCE AUTHORIZING BINDING MUNICIPAL REFERENDUM ON RE-CONTINUATION OF AN ANNUAL LEVY FOR OPEN SPACE TRUST FUND"

OPENED FOR PUBLIC DISCUSSION:

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

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

No one from the public wished to speak

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilwoman Stagg, 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.

Discussion: Councilwoman Marcalus felt there should be an interpretation of the wording "passive recreation" as it could be interpreted by residents to mean funds that would be used for additional soccer or baseball fields. Upon discussion, Attorney Muhlstrock will prepare an interpretation statement of "passive recreation" to be included in the Ordinance. It would be considered an explanation not an amendment. He will send it tomorrow to be added to the referendum, as the deadline for receipt is due at the County by Friday.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Authorizing Binding Municipal Referendum On Re-Continuation Of An Annual Levy For Open Space Trust Fund, 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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO.13-CODE-692 AMEND SALARY
ORDINANCE

The Clerk was directed to take from the table Ordinance No. 13-Code-692 and read by title for its final hearing.

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

OPENED FOR PUBLIC DISCUSSION:

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

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

No one from the public wished to speak.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Amending And Reenacting Paragraphs 1 Through 12 Of Ordinance No-13-Code-686 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", 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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

WORK SESSION:

COMMUNITY RATING SYSTEM BIDS:

Discussion: Lou Levy, 112 Lakeview Terrace, Flood Control Chairman, stated the Borough solicited proposals to have a company work on Oakland's flood rating system. They received three proposals. Boswell McClave Engineering \$8,000; Agnoli Engineering \$9,500 and Amec Environmental was \$17,000. The proposals were reviewed and it was a unanimous decision by the Flood Control Commission to accept

the proposal from Agnoli Engineering. Mr. Levy explained Agnoli Engineering has done this work for eighteen other towns, many have received an average rating of 7, which give residents a 15% discount on their flood insurance premiums. This company has the most experience, 18 communities to their credit and they have worked with Pompton Lakes. This program has been set up by FEMA to help residents reduce their costs for flood insurance. Oakland presently has a 0 (10) rating. Most communities are at an 8 or 7. Pompton Lakes is at 5.

Councilman Visconti stated flood insurance costs will be increasing because the Federal Government is changing the standards based on the elevation of your home. If houses can be elevated, then their insurance rates will go down. Over a five-year period, flood insurance rates will increase 25% each year. Secondary houses at the shore are already seeing the increases. Mr. Levy stated the average flood insurance in Oakland is \$1,200 a year. In five years those homeowners will be paying an additional \$2,400. Oakland would be able to get points for activities such as Flood Plain Management, Public Information and Community Outreach. The present Reverse 911, will give them 2 points. Oakland will soon have the capability of contacting only the flood-prone homeowners which will give them more points. Most of the houses in Oakland are within a three foot-BFE. (Base Flood Elevation). If Oakland were to change to a Category 9, the estimated 250 flood insurance policies in the Borough would save a total aggregate of \$36,000 a year. Mr. Levy stated residents would see the increases in insurance costs starting in 2014 or 2015. The Borough will attempt to get their information to FEMA by October 1st. If they miss that date, it will have to be received by May 1st. Mayor Schwager stated Mr. Levy and the Flood Commission members have done a lot of work but it is very intense and they need professional help. She asked for an informal roll call on listing the Resolution to approve the RFP from Agnoli Engineering at the next Council Meeting.

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

Councilman Visconti stated they are now in the process of preparing a list of the work that needs to be done in the interior of the Library. This will be prepared as an RFP for an Architect's proposal. They won't need what the true cost will be until they get the RFP's from an Architect. They have money available for the interior work but there is a question as to how much they will have for the soft costs. Administrator Kunze stated he spoke to the Library and asked the Directors to give them their comments and ideas on the work.

COUNCIL REPORTS:

Councilwoman Marcalus did not have a report.

Councilman Visconti stated the OCC are waiting for dates to for a Council Candidate Forum and Debate. The Park Committee met last Wednesday at the Delia Building. The Environmental Commission received the okay to start clearing some of the walking trails. A Boy Scout has stepped forward and offered to help map the trails with a G.P.S. Other Scouts from the community have offered to help clear some of the area and work with the DPW. They are trying to set up an onsite visit to get the concept of what they would like to see and then proceed. They are in need of a Recording Secretary. They plan to meet on 9/4 at the Danny D'Elia Building.

Mayor Schwager stated it is Roshashanna and asked that they reschedule the meeting. Councilman Visconti will reschedule the meeting and readvertise it.

Councilwoman Stagg stated the Environmental Commission would really like to see a renewed energy by residents with their recycling. Recycling saves taxes. The Borough receives revenue from recycling but has to pay for it if it is picked up in the garbage. Increasing recycling would decrease garbage waste and cost. If there are any questions about what you can recycle, a resident can speak to Eugene McMahon, Recycling Coordinator through the DPW.

Councilman Pignatelli did not have a report.

Councilman Jensen reported they have the final numbers on the Carnival. There was a 2% increase which was \$19,000. Their next meeting will be on Monday, September 9th from 7:00 to 8:00 P.M at the Senior Center.

Councilwoman Coira reported Lacrosse, Fall Mountain Bike and Winter Season Sports signup dates are posted on the website. In order to be a Coach, you must pass the three steps - Concussion training, Rutgers Safety Course and the Background Check. The Rutgers Safety Course will be Friday September 23rd and it is the last safety course being offered. The coaches must wear their Lanyards on the fields.

OPENED FOR PUBLIC DISCUSSION:

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

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

No one from the public wished to speak.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, 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 Councilwoman Coira, 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 Councilwoman Stagg, seconded by Councilman Visconti, the meeting be adjourned at 8:45 P.M.

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

Deborah Krebs, Deputy Borough Clerk

Mayor Linda H. Schwager

September 11, 2013

Date Approved