

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY SEPTEMBER 11, 2013

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilwoman Coira, 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:
Litigation, Negotiations, 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 Coira, Jensen, Marcalus, Visconti.

Councilman Pignatelli entered the meeting at 7:06 pm.

Councilwoman Stagg entered the meeting at 7:07 pm.

Discussion on health benefits contracts, Fanale property, Heritage Hills Phase 2 assessment, personnel.

No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 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.

PRESENTATION TO GIRLS SOFTBALL TEAMS

Mayor Schwager advised that NJ Monthly Magazine rated Oakland as #15 overall in the State of New Jersey but voted Oakland #1 as the best community to raise families. Recently 201 Magazine rated Oakland highly for its girls softball program. The two 12U girls softball teams won championships this year.

Neil Malmud, manager of the 12u A team, thanked the coaches and parents and the team members for a great season. Certificates were given to:

Kerry Cambell	Maria DeOliveira	Meghan Halloran	Kelly Hoover
Alyssa Murphy	Jackie Rever	Meghan Roessler	Adranna Saab
Allison Sees	Sarah Stocker	Jackie Soldano	Neil Malmud
Dave DeOliveira, Coach	Sue Hoover, Coach	Jerry Stocker, Coach	

Candace Oltmanns, manager of the 12u B team, thanked the Mayor and Council for inviting the team and stated it is a testament to how hard they worked all season. Certificates were given to:

Megan Clark	Nolan Clark	Megan Cimaglia	Rachel Duncan
Alyssa Fiore	Leah Gibson	Merrick Gourhan	Arianna Irizzary
Maddie Knightly	Rachel Logatto	Julia Manetti	Theresa Murphy
Danielle White	Jim Murphy, Coach	Lisa Dent, Coach	Krystal Brugger, Coach

Dan Logatto, Girls softball Commissioner, commented that the softball program is excellent in Oakland. He explained that the Indian Hills coach Joe Leicht is the foundation of the program. He thanked Neil Malmud for being the liaison from the high school program to the Recreation program. He thanked Recreation Chairman Mike Guadagnino and the Mayor. Lastly, he thanked the parents for all their support of the program.

MAYOR'S REPORT:

Mayor Schwager reminded residents that she has office hours before every Council meeting. This past Monday, a new television series called Taxi Brooklyn filmed in Oakland. Last week, Mayor Schwager and several Borough officials attended a meeting at Northwest Bergen County Utilities Authority regarding sewers. She advised that we are moving forward and this will help the downtown. She explained that this is crucial to Oakland because our sewer treatment plants are at the end of their life. Mayor Schwager advised there will be a paper shredding event from 9 am to 12 pm on Saturday September 14th. The Library is extending their hours. There will be a fundraising art sale on October 5th and a Friends of the Library fundraiser on September 29th. The

Flood Commission is working on a program called Community Rating System. This will help residents save money on flood insurance. Mayor Schwager congratulated Judith Sullivan, chairman of the Ramapough Conservancy, for receiving the Preservation New Jersey Visionary Award.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilwoman Coira, 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.

Caron McCormick, 161 Manito Avenue, advised that the Sports Association is running classes this fall including four classes for adults. She thanked the Board of Education and Valley Middle School for their help as well as Abby and Mame from the Library and the Ramapo Valley Baptist Church.

Frank Monaco, 60 Thackeray Rd, asked if there was a plan to pave Thackeray. He spoke about the Recreation lights and admitted that the lights are 35 years old and it is time to fix them. However, the Council should have been putting money aside for this project for years. He thanked Recreation Chairman Mike Gudagnino, DPW Superintendent Anthony Marcucilli and Buildings and Grounds supervisor Joe Ferrarella for showing him the lights. Borough CFO Jim Mangin explained that the Finance Committee has set a "pay as you go" policy. First, the Borough needed a plan to reduce debt. Since 2010, the Council has been setting aside money to move towards the policy.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Jensen, 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.

APPROVAL OF MINUTES: AUGUST 14, 2013

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council meeting of August 14, 2013 be approved.

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

APPROVAL OF MINUTES: AUGUST 28, 2013

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of August 28, 2013 be approved.

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

APPROVE RAFFLE LICENSE RL1190

On motion of Councilwoman Stagg, seconded by Councilman Visconti, approval be granted for Raffle License RL1190 for Oakland Sports Association to hold an on-premise 50/50 on November 23, 2013 at Knights of Columbus, 7 Courthouse Place.

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

APPROVE RAFFLE LICENSE RL1191

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, approval be granted for Raffle License RL1191 for Oakland Sports Association to hold an on-premise raffle for merchandise on November 23, 2013 at Knights of Columbus, 7 Courthouse Place.

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

APPROVE SIGN REQUEST:

On motion of Councilman Visconti, seconded by Councilwoman Stagg, approval be granted to the Oakland-Franklin Lakes Rotary Club to post a sign in Bush Plaza to advertise their Garage Sale to be held September 21, 2013

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

APPROVE RAFFLE LICENSE RL1192

On motion of Councilwoman Stagg, seconded by Councilman Visconti, approval be granted to the Oakland Education Foundation to hold an on-premise raffle for merchandise on September 30, 2013.

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

APPROVE SOCIAL AFFAIRS PERMIT

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, approval be granted for a Social Affairs Permit for Oakland Education Foundation to hold a wine-pairing event at Trovato's Due, 4 Barbara Lane, on September 30, 2013.

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

RESOLUTION 13-214 PARTICIPATION IN VOLUNTEER TUITION CREDIT PROGRAM

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

WHEREAS, the Mayor and Council of the Borough of Oakland in the County of Bergen, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Oakland; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c.145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland in the County of Bergen that the Volunteer Tuition Credit Program as set forth in P.L.

1998, c.145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

BE IT FURTHER RESOLVED, that Lisa Duncan, Borough Clerk is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c.145, a copy of which is herewith made part of this resolution.

Councilwoman Stagg voiced concerns over this resolution. Even though the Borough is not directly paying for this program, we as taxpayers are paying for this. Even though we appreciate what the firefighters do, we cannot keep giving them entitlements. She commented that the Council needs to hold the line on taxes. Councilman Pignatelli commented that some of the officers receive a minimal clothing allowance. This is just another way to show appreciation to the volunteers. Mayor Schwager agreed with Councilman Pignatelli and commented that Oakland is so lucky that we have the Fire Department and Emergency Management team that we have. This program would entitle the firemen to \$600 off of tuition at a County college. Councilman Visconti agreed with Councilwoman Stagg in theory. However, this is a State program. If the Council does not approve this resolution, we are putting our volunteers at a disadvantage.

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

RESOLUTION 13-215 AUTHORIZE TAX APPEAL SETTLEMENT BL 901, LOT 34

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

WHEREAS, Philip Yachmetz & Kathleen Newhard are the owners of property known as Block 901, Lot 34, located a 4 Valley Forge Road, has appealed the 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 appeal entitled Yachmetz vs Borough of Oakland, wherein the 2012 assessment of \$1,186,000 will be reduced to \$1,050,000, resulting in a refund of \$3,436; and the 2013 assessment of \$1,186,000 will be reduced to \$1,050,000, resulting in a refund of \$3,489; 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, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-216 AUTHORIZE TAX APPEAL SETTLEMENT BLOCK 3301, LOT 6

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

WHEREAS, The Wrong Way, LLC is the owner of property known as Block 3301, Lot 6, located a 16 Wright Way, has appealed the 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 appeal entitled The Wrong Way, LLC vs Borough of Oakland, wherein the 2011 complaint will be withdrawn, and the assessment of \$3,470,400 will remain intact; the 2012 assessment of \$3,470,400 will be reduced to \$3,170,400, resulting in a refund of \$7,581; and the 2013 assessment of \$3,470,400 will be reduced to \$3,170,400, resulting in a refund of \$7,698; 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, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-217 AUTHORIZE TAX APPEAL SETTLEMENT BL.4305, LOT 22
On motion of Councilwoman Stagg, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, Craig and Allyson Englishman are the owners of property known as Block 4305, Lot 22, located a 12 Maple Drive, has appealed the 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 appeal entitled Englishman vs Borough of Oakland, the 2012 assessment of \$565,500 would be reduced to \$525,000, and the 2013 assessment of \$565,500 would be reduced to \$525,000, resulting in a total refund for both years of \$2,062; 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, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-218 AUTHORIZE APPLICATION NJDOT GRANT
On motion of Councilwoman Stagg, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Oakland Borough-00017 to the New Jersey Department of Transportation on behalf of Oakland.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Oakland and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION 13-219 AUTHORIZE VALUE RESEARCH CONTRACT

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

WHEREAS, it is necessary for the Borough of Oakland to obtain appraisals for 8 Thornton Road and 128 Bauer Drive in order to move forward with tax appeal trials; and

WHEREAS, Value Research Group, LLC has submitted a proposal dated August 30, 2013, for the services required for the appraisals; and

WHEREAS, the cost of the appraisal for 8 Thornton Road will be \$10,000.00 and the cost for the appraisal for 128 Bauer Drive will be \$6,500.00; and

WHEREAS, Value Research Group, LLC has submitted all required paperwork to comply with the Borough of Oakland's Pay to Play Ordinance; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # 3-01-55-904-001; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize a contract with Value Research Group, LLC in the total amount of \$16,500.00; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement with Value Research Group, LLC.

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

RESOLUTION 13-220 CONFIRM EMERGENCY MANAGEMENT GRANT SUBMITTAL

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

WHEREAS, the Borough of Oakland is interested in applying for Federal Fiscal Year 2013 Emergency Management Assistance (EMA) funding;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Emergency Management Coordinator Roy Bauberger to submit a grant application in the amount of \$ 5,000 for Emergency Management Assistance funding.

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

RESOLUTION 13-221 DEDUCT CHANGE ORDER 24-TEKTON

On motion of Councilwoman Stagg, 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 24	Contract price reduction in conjunction with	
	Contract completion date extension for additional	
	Costs incurred by Borough	\$-16,644.00

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 24 for a contract price reduction of \$-16,644.00 to Tekton Development Corp.

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

RESOLUTION 13-222 AUTHORIZE BOSWELL-FRANKLIN AVENUE PAVING

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

WHEREAS, the County of Bergen will be paving Franklin Avenue in the Borough of Oakland; and

WHEREAS, the handicap ramps at all intersections must be ADA compliant; and

WHEREAS, the County of Bergen requires that Oakland's engineers design the improvements, inspect the work and issue a certification of compliance; and

WHEREAS, Boswell McClave has submitted a proposal at a fee not to exceed \$7,100 for the inspection services required; and

WHEREAS, the County of Bergen will reimburse the Borough for the costs associated with the project; and

WHEREAS, Boswell McClave has submitted all necessary paperwork to comply with the Borough of Oakland's Pay to Play Ordinance; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-670-301; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be authorized to execute the agreement on behalf of the Borough.

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

**RESOLUTION 13-223 AUTHORIZE CONSTRUCTION CONTRACT-FRANKLIN AVE
PAVING**

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

WHEREAS, Bergen County plans to repave Franklin Avenue within the limits of the Borough in the fall of 2013; and

WHEREAS, regulations require that curb cuts be made ADA compliant within the project's limits; and

WHEREAS, the Borough has entered into agreements with the County of Bergen under the County's Cooperative Curb Ramp Construction Grant Program and the County's Cooperative Engineering Design Program, whereby the Borough can enter into a contract with a vendor contracted by the County to install ADA compliant curbs, Concrete Construction Corporation, and then the County will reimburse the Borough for construction costs in connection with the installation of the ADA compliant curbs; and

WHEREAS, the Borough Engineer has identified 20+ locations that require ADA compliant curbs located on or adjacent to Franklin Avenue; and

WHEREAS, the County of Bergen will reimburse the borough for construction costs for the ADA compliant curbs up to \$2,000 per location; and

WHEREAS, the Chief Financial officer has certified that funds are available in Account C-04-56-670-302;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen and State of New Jersey that, in accordance with the County's Cooperative Curb Ramp Construction Grant Program, a contract is hereby awarded for the construction of ADA compliant curbs to Concrete Construction Corporation at the rate of \$2,000 per location, for a total amount not to exceed \$50,000 subject to reimbursement of all expenses by the County of Bergen; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Concrete Construction Corporation, the Bergen County Department of Public Works, the Borough Engineer and the Chief Financial Officer.

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

RESOLUTION 13-224 AWARD BID-POLICE ACCREDITATION PROJECT

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

WHEREAS, bids were received on July 30, 2013, for the Police Accreditation Project; and

WHEREAS, The Rodgers Group, LLC, P.O. Box 831, Island Heights, New Jersey was the only bidder for the project with a bid of \$39,000; and

WHEREAS, the Police Chief and Borough Attorney have reviewed the bid and recommend the award be made to The Rodgers Group, LLC; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # G-02-13-800-100;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland award a contract to the Rodgers Group, LLC in the amount of \$39,000 for the Police Accreditation Project; 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 13-225 AWARD BID-SIREN COMMUNICATION SYSTEM

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

WHEREAS, the Borough of Oakland received bids on June 25, 2013, for a Siren Communication System; and

WHEREAS, Bay Comm, Inc., 1016 Talon Lane, Wilmington, Delaware was the only bidder with a bid of \$179,428 and bid for Alternate A of \$3,930; and

WHEREAS, the Emergency Management Coordinator and Borough Attorney have reviewed the bid and recommend the contract be awarded to Bay Comm, Inc.; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-56-586-302 \$150,500 and C-04-56-690-902 \$32,858;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award the contract for a Siren Communication System to Bay Comm, Inc.; of Wilmington, Delaware for a total price of \$183,358; 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 13-226 AMEND CASH MANAGEMENT PLAN

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

WHEREAS, N.J.S.A. 40A:5-14.4b provides that each local unit shall annually adopt a Cash Management Plan and that plan may be modified from time to time to reflect the addition of other legal depositories for public monies; and

WHEREAS, the Borough of Oakland adopted said plan as codified in Resolution 13-08 approved in January 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland in the County of Bergen, New Jersey, based upon the recommendation of the Chief Financial Officer, seeks to amend Section IV – Designation of Depositories of the Borough of Oakland Cash Management Plan to include the addition of Union Center National Bank, with offices located at 3 Allerman Road, Oakland, New Jersey 07436 as one of several official depositories of public funds.

BE IT FURTHER RESOLVED, that Union Center National Bank does conform to the requirements established pursuant to section 8 of P.L. 1970, c.236 (C.17-9-44).

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

RESOLUTION 13-227 AUTHORIZE TAX REFUND BLOCK 802, LOT 88

On motion of Councilwoman Stagg, seconded by Councilman Visconti, 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 third quarter 2013; and

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 Tax Collector, do hereby authorize a refund as follows:

BLOCK/LOT	OWNER	AMOUNT
802/88	Siegel, Paul H & Marylou V	\$3,091.15

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

RESOLUTION 13-228 AUTHORIZE TAX REFUND BLOCK 1201, LOT 10

On motion of Councilwoman Stagg, seconded by Councilman Visconti, 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 third quarter 2013; and

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 Tax Collector do hereby authorize a refund as follows:

BLOCK/LOT	OWNER	AMOUNT
1201/10	Lynch. Kenneth J	\$2,989.24

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

RESOLUTION 13-229 REFUND OF RECREATION FEES

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

WHEREAS, the Borough of Oakland has received requests for refunds of Soccer, Baseball and Cheerleading Registration Fees in the amount of \$282.00; and

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

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

Christine Garbaccio, 71 Yawpo Avenue, Oakland, NJ 07436 refund due \$53.00
Debbie Hook, 34-28 Bailey Avenue, Oakland, NJ 07436 refund due \$63.00
Bill Knightly, 9 Geronimo Way, Oakland, NJ 07436 refund due \$78.00
Karen Quill, 50 Andrew Avenue, Oakland, NJ 07436 refund due \$88.00

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

RESOLUTION 13-230 CONTRACT AMENDMENT-EPIC

On motion of Councilwoman Stagg, seconded by Councilman Visconti, 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 September 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 Officer 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 October 9, 2013 at a total cost of \$10,000.00.

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

RESOLUTION 13-231 CONTRACT AMENDMENT-S & L ARCHITECTURE

On motion of Councilwoman Stagg, seconded by Councilman Visconti, 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 \$5,500.00 to continue providing needed services while construction continues; and

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

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 September 1 through September 30, 2013 at a total cost of \$5,500.00.

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

WORK SESSION:

ENGINEERING FOR ROOF REPLACEMENT-FIRE COMPANY #3

Mr. Kunze advised that the Borough wanted to do this project a couple of years ago but there was not enough funds to the project. The project was addressed in this year's capital program. We need to authorize the Engineer to get the bids out now. Councilman Pignatelli commented that the roof has been leaking for some time now. A resolution will be listed on the September 25th agenda.

LIEN FOR 37 RIVERSIDE DRIVE

Mr. Kunze commented that with all the foreclosures, the Borough has been lucky so far that we have not had to encounter going on private property to maintain the property. This property at 37 Riverside Drive is bank owned and the bank has been unresponsive for quite a while. The property is a community eyesore. The Borough needed to go in and bring the property into compliance. The cost of the labor was \$7,000 and the Borough needs to recoup the costs. A resolution will be listed on the September 25th agenda.

HISTORIC PRESERVATION GRANT UPDATE:

Mr. Kunze advised that the Borough recently received two grants for the Van Allen/Stream House site. It involves two elements-further emergency work on the Van Allen House and securing of the Stream House to weather. He advised that we will need to work with an architect to get plans for the Van Allen house. At that point, we should be ready to proceed with the roof. He explained that the Borough was the applicant so technically we are responsible for the grants although the Ramapough Conservancy is supposed to bring money to the table. The Borough will need to do a Chapter 159 for the grants and then the Conservancy will turn money over to the Borough.

Councilman Pignatelli expressed disappointment in spending money on the Stream House. He explained that he met with Judith Sullivan from the Ramapough Conservancy and she assured that we will see progress in the next couple of months. She also assured that she can raise most of the money for the project. Mayor Schwager advised that Ms. Sullivan is working diligently. Councilwoman Stagg questioned whether the Borough could bifurcate the grants. Mr. Kunze responded we cannot because the grants were already awarded. Councilwoman Stagg asked if the Borough has to commit to both grants or can we commit to only one. Mr. Kunze advised that we have not seen the grant agreements yet but you don't have to accept both.

NEW BUSINESS:

Mayor Schwager advised that the film crew was in town Monday. She advised that the Borough did not get any money because we do not have a filming ordinance. Mr. Kunze will meet with the Police Chief, CFO and Borough Clerk to discuss an ordinance. Mr. Kunze advised that the Council should expect to see a draft ordinance by early November.

COUNCIL REPORTS:

Councilwoman Marcalus: The Library is currently taking registration for Story Time which begins on September 18th. There are many childrens activities taking place.

Councilman Visconti: The Park Committee held a meeting and are making good progress. An Eagle Scout proposed a project to clear out an area of the park. Borough Engineer Rebecca Mejia advised that the DEP would not come out to the site so it will be challenging to get permits. He advised there is a contest for naming of the park. Someone is helping the Committee file paperwork for 501c3 status. The Committee is still looking for a recording secretary. The OCC will be meeting next Wednesday. He explained that the OCC organizes the candidates' debate to televise it but the OCC does not run the debate.

Councilwoman Stagg: There was a meeting with the Northwest Bergen Utilities Authority to continue discussion on sewers. The Borough needs to move ahead with a new system. The downtown cannot move forward without sewers. This is an important but complicated issue. The Environmental Commissions of Oakland, Wyckoff and Franklin Lakes will sponsor a presentation by ANJEC on Wednesday October 2nd on land preservation.

Councilman Pignatelli: Qigong classes are being held at the Senior Center. On October 29th, Bergen County is sponsoring an Atlantic City trip for Seniors. There will be a hazardous waste disposal on October 20th at Bergen Community College and on November 2nd at Campgaw. The Senior Picnic will be held on September 17th. This Saturday, the Borough will sponsor a paper shredding event from 9 to 12 pm.

Councilman Jensen: The Public Events Committee will hold its Halloween Parade on October 26th. The Holiday event will be held on December 1st at 5 pm. The tentative date for the Easter egg hunt is April 12th. The next meeting of the Public Events Committee will be held October 14th.

Councilwoman Coira: Sign up information for winter sports is on the Recreation website. The next meeting of the Recreation Commission will be September 30th at 8 pm. The next meeting of the Planning Board will be September 12th at 7 pm at the Senior Center.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Pignatelli, 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.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Visconti, 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 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, Marcalus, Pignatelli, Stagg, Visconti.

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Pignatelli, 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:
Negotiations
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.

Discussion ensued over negotiations with NWBUA over sewers.

CLOSE EXECUTIVE SESSION:

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

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

MOTION TO RECONVENE PUBLIC MEETING

On motion of Councilman Pignatelli, seconded by Councilwoman Stagg, the meeting be reconvened.

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

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilwoman Stagg, the meeting be adjourned at 9:25 pm.

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

Lisa M. Duncan, Borough Clerk
September 25, 2013

Mayor Linda H. Schwager

Date Approved