

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY OCTOBER 22, 2014

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Jensen, seconded by Councilman Pignatelli, 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:
Tax Appeal Settlement-Aramis, Inc.; White and Blue Collar Labor 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, Kulmala, Pignatelli, Talamini, Visconti.

Discussion ensued over a tax appeal settlement for Aramis, Inc. and over labor negotiations for the White and Blue Collar unions.

CLOSE EXECUTIVE SESSION:

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

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

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MEETING CALLED TO ORDER: By Mayor Schwager at 7:31 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, Pignatelli, 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 congratulated Franklin Lakes Councilman Charles Kahwaty on being named lawyer of the year. The Flood Commission has a new website, www.oaklandflood.com. The website provides pertinent information on the progress of the CRS application, a video link to the river restoration project and maps with the new flood elevation. There is also contact information to professionals who can do elevation certificates. She thanked Flood Commission Chairman Lew Levy and member Gina Steele for all their work on the website. Mayor Schwager advised that residents were sent notices about changes in recycling. The Library book sale will be held this weekend. The Public Events Halloween Parade will be held Saturday.

RESOLUTION 14-234 PROMOTION TO SERGEANT-TIM KEENAN

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

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

WHEREAS, Officer Timothy Keenan has qualified for promotion per the rules and regulations of the New Jersey Civil Service Commission; and

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

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

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

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

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

Mayor Schwager administered the Oath of Office to Sgt. Keenan.

INTRODUCTION OF RAMAPO INDIAN HILLS SUPERINTENDENT

Ramapo Indian Hills Board of Education member, Sadie Quinlan, introduced herself and advised that she is a 28-year Oakland resident and this is her 10th year as a Trustee. She advised that this past July, the Ramapo Indian Hills Board of Education appointed the newest Superintendent, Beverly MacKay. Ms. MacKay introduced herself and advised that she is a 54-year resident of Wyckoff and she graduated from Ramapo High School. Her husband grew up in Oakland and graduated from Indian Hills. She spoke about giving back to the communities that have given so much to her family.

Ms. MacKay advised that one of the goals of the Board is to increase collaboration and communication. A meeting was held a month ago with the Mayors, Police Chiefs, and Administrators from the three FLOW towns in order to open lines of communication and begin the process of collaboration. Ms. MacKay is looking forward to working with the Borough.

PRESENTATION BY LAND CONSERVANCY ON FLOOD BUYOUT PROGRAM:

Barbara Heskins Davis, Vice President of Programs, advised that the Land Conservancy of New Jersey serves as open space advisors for Oakland. She explained that last year, Oakland was a leader in instituting change in Bergen County. Oakland wanted to purchase homes on Roosevelt Boulevard for flood acquisition. This use was not in Bergen County's open space grant program. A question to add a Flood Acquisition Program was put on the ballot and won 2 to 1. The application to the new Flood Acquisition Program is due on October 31st. The draft Flood Acquisition Plan was submitted to the Borough today. The document is confidential due to the information it contains. This is the first Flood Acquisition Plan to be submitted to Bergen County. The Land Conservancy was able to use the Borough's Natural Resources Inventory to do the Floodplain Acquisition Plan which gives a history of flooding. They also spoke to Flood Commission Chairman Lew Levy and OEM Coordinator Roy Bauberger to get information. Ms. Davis advised that Mr. Levy and Mr. Bauberger do an excellent job for the Borough. There are six maps included in the Plan including 100 and 500 year elevations. Ms. Davis advised that FEMA just released new elevations and those are not included in the Plan. The Floodplain Acquisition Plan needs to be broad-based.

In 2013, the Borough was fully-funded for the acquisition of six properties on Roosevelt Boulevard. The 2014 Grant application is due October 31st and the Borough will continue with six additional properties on Roosevelt Boulevard. These properties are contiguous to Truman Field and have an open space benefit. The Borough will hold a public hearing on November 12th. Ms. Davis advised that the Land Conservancy is happy to be a partner with Oakland in this venture. Councilman Visconti advised there has been a lot of interest in the past few months from other residents who want buyouts. He asked if there are any other areas that would be eligible for buyouts. Ms. Davis responded that Roosevelt Boulevard, Lenape Lane, Glen Gray Road, and Lakeshore Drive all have flood impacts.

Ms. Davis advised that there will be a question on the ballot on November 4th to authorize Green Acres funding. She encouraged people to vote for the question. Mr. Kunze asked if Ms. Davis had an estimated acquisition cost for Phase 2. Ms. Davis did not have an estimate at this time. Mr. Kunze advised that the Borough is going to submit an application by October 31st based on

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the Land Conservancy's recommendation. The public hearing on that application will be held on November 12th.

OPENED FOR PUBLIC DISCUSSION:

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

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

Dave Richardson, 320 Ramapo Valley Road, commented that it is a dangerous situation on Ramapo Valley Road by the Delta Station. Cars can fly around the bend and it is a blind spot. He asked if it has been suggested to lower the speed limit on Ramapo Valley Road. Councilwoman Coira responded that she thought the County did a study on Ramapo Valley Road and they recommended 25 miles per hour in a school zone. Mr. Richardson advised he called Rockland Electric about street lights that were out in town and they came and fixed the lights.

Frank Monaco, 60 Thackeray Road, thanked the Mayor and Council for the letter sent on recycling because it is confusing. He would have liked to ask the Superintendent if the Ramapo Indian Hills Board of Education could meet with the Council to discuss traffic.

Mike Pritchard, 23 Calumet Ave, spoke of federal regulations on the pipeline. He also advised that eminent domain is not applicable. He spoke about the issue of double poles in town. Councilman Kulmala advised that he asked the Police Department to put together a survey of all the poles. That information has been transmitted to Verizon and they are supposed to be working on it.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: OCTOBER 8, 2014

On motion of Councilman Jensen, seconded by Councilwoman Coira, the minutes from the Mayor and Council meeting of October 8, 2014 be approved.

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

APPROVAL OF MINUTES: OCTOBER 8, 2014 EXECUTIVE SESSION

On motion of Councilman Visconti, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of October 8, 2014 be approved.

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

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APPROVE RAFFLE LICENSE RL1226

On motion of Councilman Jensen, seconded by Councilwoman Coira, approval be granted to Sports Association of Oakland to hold an off-premise 50/50 raffle on November 21, 2014 at Knights Of Columbus, 7 Courthouse Place.

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

APRPOVE RAFFLE LICENSE RL1227

On motion of Councilman Jensen, seconded by Councilwoman Coira, approval be granted to Sports Association of Oakland to hold an on-premise raffle for merchandise on November 21, 2014 at Knights of Columbus, 7 Courthouse Place.

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

APPOINTMENT TO SHADE TREE COMMISSION:

Mayor Schwager brought forth the nomination of Denise Liss to fill an unexpired term on the Shade Tree Commission.

MOTION TO CONSENT:

On motion of Councilwoman Coira, seconded by Councilman Visconti, the Council consented to the appointment of Denise Liss to fill an unexpired term on the Shade Tree Commission to expire December 31, 2017.

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

RESOLUTION 14-235 HIRE SENIOR CITIZEN PROGRAM AIDE

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

WHEREAS, the Borough of Oakland needs to hire a part-time Program Aide for the Senior Center; and

WHEREAS, the Senior Center Director has made a recommendation to appoint Patti J. Niebojewski to work for the Borough of Oakland on an "as needed basis" for the Senior Center as a part-time Program Aide at a rate of \$18.00 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby appoint Patti J. Niebojewski to the position of part-time Program Aide at a salary of \$18.00 per hour effective October 23, 2014.

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

RESOLUTION 14-236 AUTHORIZE PURCHASE OF WOOD CHIPPER

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

WHEREAS, the Borough of Oakland wishes to purchase an 18" drum style Brush Bandit Wood Chipper; and

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WHEREAS, Northeastern Arborist Supply, 50 Notch Road, West Paterson, NJ has submitted Quotation #42008 in the amount of \$50,234; and

WHEREAS, Northeastern Arborist Supply has Bergen County Cooperative Contract #14-29 for the wood chipper; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-691-204 \$50,000 and 4-01-26-290-038 \$234.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize the Purchasing Agent to issue a purchase order to Northeastern Arborist Supply in the amount of \$50,234 for the 18" drum style Brush Bandit Wood Chipper as specified in Quotation #42008.

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

RESOLUTION 14-237 AUTHORIZE ROAD SALT CONTRACT

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

WHEREAS, the Borough of Oakland needs to purchase rock salt; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #14-63, Rock Salt, to Cargill, Inc. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase rock salt through the Bergen County Cooperative Pricing Council in an amount not to exceed \$75,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 4-01-26-306-058 and from appropriation in the 2015 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Rock Salt, in an amount not to exceed \$75,000, through the Bergen County Cooperative Pricing System, contract # 14-63, Rock Salt, awarded to Cargill, Inc.

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

RESOLUTION 14-238 AUTHORIZE GASOLINE CONTRACT

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

WHEREAS, the Borough of Oakland needs to purchase gasoline for its vehicles; and

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WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #14-100, Gasoline, to Rachles/Michele's Oil and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase gasoline through the Bergen County Cooperative Pricing Council in an amount not to exceed \$ 130,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 4-01-31-460-001 and Water Operating Fund budget account #4-05-55-508-000 and from appropriation in the 2015 budget, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Gasoline, in an amount not to exceed \$130,000, through the Bergen County Cooperative Pricing System, contract # 14-100, Gasoline, awarded to Rachles/Michele's Oil, 116 Kuller Road, Clifton, NJ .

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

RESOLUTION 14-239 AUTHORIZE FUEL OIL CONTRACT

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

WHEREAS, the Borough of Oakland needs to purchase diesel fuel for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #14-98, Diesel Fuel to Rachles/Michele's Oil Co. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase diesel fuel through the Bergen County Cooperative Pricing Council in an amount not to exceed \$ 60,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 4-01-31-460-001 and Water Operating Fund budget account# 4-05-55-508-000 and from appropriation in the 2015 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Diesel Fuel, in an amount not to exceed \$60,000, through the Bergen County

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Cooperative Pricing System, contract # 14-98 Diesel Fuel awarded to Rachles / Michele's Oil Co., 116 Kuller Road Clifton, NJ .

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

RESOLUTION 14-240 AUTHORIZE BOSWELL-RAMAPO RIVER RESTORATION PROGRAM

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

WHEREAS, the Borough of Oakland is going to undertake a Ramapo River Channel Restoration Project; and

WHEREAS, Boswell McClave Engineering has submitted a proposal revised on October 3, 2014, for engineering and construction inspection services for the project in an amount not to exceed \$59,000; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-56-690-501 \$19,900 and C-04-56-691-401 \$39,100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize a contract to Boswell McClave Engineering for engineering and construction inspection services for the Ramapo River Channel Restoration Project in an amount not to exceed \$59,000 as specified in their revised proposal dated October 3, 2014; 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, Kulmala, Pignatelli, Talamini, Visconti.

RESOLUTION 14-241 AUTHORIZE BOSWELL-PATRIOT'S WAY BRIDGE INSPECTION

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

WHEREAS, the Borough of Oakland needs to undertake a thorough inspection of the Patriot's Way Bridge; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated September 30, 2014, for the services required in an amount not to exceed \$7,000; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-56-691-308;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize a contract to Boswell McClave Engineering for services for the inspection of the Patriot's Way Bridge in an amount not to exceed \$7,000 as specified in their proposal dated September 30, 2014; 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, Kulmala, Pignatelli, Talamini, Visconti.

RESOLUTION 14-242 APPROVE LIEN-37 RIVERSIDE DRIVE

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

WHEREAS, the Borough of Oakland Zoning Officer has advised that the property located at 37 Riverside Drive and identified as Block 2005, Lot 1 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$954.08 in order to clean up the property at 37 Riverside Drive; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

WHEREAS, a report dated October 15, 2014 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 37 Riverside Drive the sum of \$954.08 being the amount due pursuant to the report dated October 15, 2014.

BE IT FURTHER RESOLVED that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 37 Riverside Drive by certified mail, return receipt requested.

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BE IT FURTHER RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

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

RESOLUTION 14-243 AUTHORIZE AGREEMENT WITH OAK CREST CONDO ASSOCIATION

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

WHEREAS, in 2009 the Borough of Oakland entered into an agreement with Oak Crest Condominium Association for Municipal Services for snow removal and street lighting pursuant to the provision of N.J.S.A. 40:67-23.2; and

WHEREAS, the agreement has expired and the Borough and Condominium Association wish to renew the agreement for an additional five year period commencing January 1, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement by and between the Borough and Oak Crest Condominium Associates providing for a five year payment agreement for snow removal and street lighting; and

BE IT FURTHER RESOLVED that the total yearly cost to the Borough to be paid to the Condominium Association for the reimbursement of these services is \$1,150.00; and

BE IT FURTHER RESOLVED that a copy of this agreement shall be maintained by the Borough Clerk for public inspection.

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

RESOLUTION 14-244 AUTHORIZE REFUND TAXES DUE TO JUDGMENT-BL.3906, L2
On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a Tax Court Judgment was entered on November 30, 2012 in the matter of Robert Michael Shopping Center, Inc. v. Oakland Borough, Docket No. 002324-2009, reducing the assessment of Block 3906, Lot 2, 332/340 Ramapo Valley Road to \$5,000,000.00 for the Tax Year 2009; and

WHEREAS, a refund of the 2009 property taxes is now due to Robert Michael Shopping Center, Inc. c/o Peter J. Zipp, Esq., in the amount of \$3,160.08;

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 check be issued to Robert Michael Shopping Center, Inc., c/o Peter J. Zipp, Esq., in the amount of \$ 3,160.08

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

RESOLUTION 14-245 AUTHORIZE LIEN-12 OSWEGO AVE.

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

WHEREAS, the Borough of Oakland Zoning Officer has advised that the property located at 12 Oswego Ave. and identified as Block 4602, Lot 5 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$954.08 in order to clean up the property at 12 Oswego Ave.; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

WHEREAS, a report dated October 15, 2014 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 12 Oswego Ave. the sum of \$1,807.72 being the amount due pursuant to the report dated October 15, 2014.

BE IT FURTHER RESOLVED that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 12 Oswego Ave. by certified mail, return receipt requested.

BE IT FURTHER RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

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

RESOLUTION 14-246 AUTHORIZE LIEN-8 IROQUOIS AVENUE

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

WHEREAS, the Borough of Oakland Zoning Officer has advised that the property located at 8 Iroquois Ave. and identified as Block 5102, Lot 55 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

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WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$954.08 in order to clean up the property at 8 Iroquois Ave.; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

WHEREAS, a report dated October 15, 2014 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 8 Iroquois Ave. the sum of \$1,807.72 being the amount due pursuant to the report dated October 15, 2014.

BE IT FURTHER RESOLVED that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 8 Iroquois Ave. by certified mail, return receipt requested.

BE IT FURTHER RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

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

RESOLUTION 14-247 AUTHORIZE LIEN-20 CALUMET AVE.

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

WHEREAS, the Borough of Oakland Zoning Officer has advised that the property located at 20 Calumet Ave. and identified as Block 4806, Lot 8 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$1,245.40 in order to clean up the property at 20 Calumet Ave.; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

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WHEREAS, a report dated October 15, 2014 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 20 Calumet Ave. the sum of \$1,245.40 being the amount due pursuant to the report dated October 15, 2014.

BE IT FURTHER RESOLVED that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 20 Calumet Ave. by certified mail, return receipt requested.

BE IT FURTHER RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

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

FINAL PUBLIC HEARING: ORDINANCE NO.14-BOND-705

The Clerk was directed to take from the table Ordinance No.14-Bond-705 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "BOND ORDINANCE TO AUTHORIZE THE ACQUISITION AND DEMOLITION OF FLOOD-PRONE PROPERTIES ON ROOSEVELT BOULEVARD FOR OPEN SPACE AND OTHER MUNICIPAL PURPOSES IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,200,000 TO PAY THE COST THEREOF, TO APPROPRIATE STATE AND COUNTY GRANTS AND A PRIVATE CONTRIBUTION, 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 Councilman Jensen, seconded by Councilwoman Coira, this portion of the meeting be open for public discussion.

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

Frank Monaco, 60 Thackeray, asked how much this project is going to cost the taxpayers. Mr. Kunze responded that the Borough has to authorize funding for the full amount of the project. However, we have approximately \$ 2 million in grants coming back to the Borough.

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CLOSED FOR PUBLIC DISCUSSION:

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

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

On motion of Councilman Jensen, seconded by Councilwoman Coira, 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 Acquisition And Demolition Of Flood-Prone Properties On Roosevelt Boulevard For Open Space And Other Municipal Purposes In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$2,200,000 To Pay The Cost Thereof, To Appropriate State And County Grants And A Private Contribution, 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, Kulmala, Pignatelli, Talamini, Visconti.

WORK SESSION:

DIRECT DEPOSIT ORDINANCE:

Mr. Kunze advised that the State adopted P.L.2013, Ch. 38 which concerns how municipalities can manage direct deposit for employees. The law took effect July 1, 2014. The effect of the law is that after July 1, 2014, no employees may sign up for direct deposit unless the Borough mandates it for all employees. Currently about half of our permanent employees utilize direct deposit. The law would exempt temporary or seasonal employees. The law also permits the Governing Body to grant exemptions for good cause.

Councilman Visconti asked what the purpose is of a law that mandates how the Borough pays its employees. Mr. Kunze responded that he does not know why the State felt the need to regulate this. Mayor Schwager asked if Mr. Kunze has talked to the employees. Mr. Kunze responded he spoke to the unions to ask for feedback. Two of the unions did not have issues with the direct deposit mandate and one group did. Councilman Jensen asked about the just cause exemption. Mr. Chewcaskie responded that there could be an employee that does not have a bank account. He also does not know why this was legislated.

Mr. Kunze asked if the Governing Body wishes to move forward with this. Councilman Visconti asked if there is a choice. Mr. Kunze responded that things could be left status quo and then new employees or anyone who currently does not have direct deposit cannot utilize that option. Councilman Kulmala asked if we are not in compliance with the program we are offering currently. Mr. Kunze advised that any new employees cannot request direct deposit. He explained that overall, it is better practice to do direct deposit because it is technically less costly. Councilman Pignatelli asked how it is cost effective if the Borough gives a paper copy to employees. Mr. Kunze responded that electronic statements could be issued according to the law.

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Councilman Jensen asked if we currently have an ordinance in place. Mr. Kunze responded we do not. Mayor Schwager asked for a draft ordinance to be submitted to the Mayor and Council. Mr. Chewcaskie advised there is a draft ordinance from the League of Municipalities. Mr. Kunze responded he will bring forth the ordinance for introduction at the next meeting and the Council can decide whether they want to move forward.

CONTINUING DISCLOSURE REVIEW:

Mr. Kunze explained that when municipalities issue debt, they are required by SEC rules to provide annual financial information as well as information on any material events that may affect the value of the debt or ability to repay it. Recently, the SEC has been putting municipalities under a microscope because there are some municipalities that are non-compliant. Our Auditor, Frank DiMaria, thinks we are in compliance but he recommends hiring a professional to do a review and ongoing compliance. We have received a proposal from Phoenix Advisors, LLC. The cost for a look back review is \$ 1,200 and going forward, the cost will be \$650 annually. This is a professional service so a resolution needs to be done by the Mayor and Council. Councilman Visconti commented that the Auditor has assured the Finance Committee that the quote is below market value and the company is good. He explained that this review gives assurance to people holding notes that someone is monitoring a municipality's finances. Mr. Kunze responded that it is a minor cost to ensure compliance with SEC regulations.

AMEND RECYCLING ORDINANCE:

Mr. Kunze explained that there are changes to what we are now able to recycle so we need to bring the ordinance into compliance. He explained that the markets concerning plastics have changed. Even if people are still recycling those items, the recyclers are pulling those items out and throwing them in the trash at a higher cost than if we put them in the trash. He explained that this is the state of the market. The ordinance should be amended to bring it in line with the County's ordinance. Councilman Jensen advised that the section of the ordinance on yard waste should be amended since the ordinance states pickup is from May to January. Mr. Chewcaskie advised that the entire ordinance can be reviewed and amended as needed. Councilman Visconti advised residents to think about these plastics on the consumption end.

AMEND SNOW REMOVAL ORDINANCE:

Mr. Kunze explained that there were issues that presented themselves after last year's harsh winter especially with clearing of snow around fire hydrants and on sidewalks. A meeting was held with the Police Chief, Fire Chief, DPW Superintendent, Councilman Pignatelli and Mr. Kunze. The group is implementing a three pronged approach focusing on education, assistance and compliance. The snow removal ordinance was reviewed and there were amendments that were recommended. The draft that was distributed amends the time period that residents have for snow removal and tries to make language consistent between the section on sidewalks and the section on fire hydrants. It also changes the violation section and allows for progressively larger fines.

Mayor Schwager asked what happens if a disabled person lives by a fire hydrant and cannot shovel it. Mr. Kunze responded that ideally, the Borough would know of anyone having an issue and would put them in contact with someone who can assist. Mayor Schwager commented that this is a necessary ordinance. If a fire hydrant is not cleared and turns to ice, there is a problem during a fire. Councilman Pignatelli commented that there is discretion in writing summonses. Councilman Jensen advised that this ordinance addresses owner, tenant or occupant as being responsible for snow removal. Councilman Kulmala explained that it is difficult for the Fire Department to work in extreme weather. He explained that the Industrial Park has been a chronic offender for years. If an ordinance is passed, that should be communicated to the businesses

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there. He would agree to a higher penalty for industrial buildings. Mr. Chewcaskie responded that this is general legislation and a fine cannot be based on the status of occupancy.

Councilwoman Coira questioned the wording of snow event in the violation and penalties section. She feels the wording should be changed from snow event to violation. She asked if we could reach out to homeowners who have a fire hydrant by their property. Councilman Pignatelli advised that education is a big part of the program. He explained the program is going to be promoted in various ways. Councilwoman Coira commented that the Borough should specifically target the individual homes that have a fire hydrant. Mr. Kunze advised that when the ordinance first went into effect, the Borough sent letters to homeowners specifically and we still had failure to comply.

PROPOSAL FOR FINANCE OFFICE ASSISTANCE:

Mr. Kunze explained that it has been a challenging year in the Finance office with staffing. Our new CFO, Ms. Reda, is doing a great job but there is a lot of work that needs to be done by the end of the year. Mr. Kunze thought that we could have the Auditor provide extra assistance to get Ms. Reda acclimated. The Auditor cannot make any financial entries just give advice and background. Mayor Schwager questioned the cost of \$10,000. Mr. Kunze responded that he would be surprised if we get billed \$10,000 because some of the work needs to be done for the beginning of the year reports due to the State. There would be no effect to the budget because the cost is less than if we had a CFO for the full year.

NEW BUSINESS:

Councilman Visconti wants to form a committee to research Borough surplus properties. The Council has previously spoken about selling the Valley View property to help pay off part of the cost of the DPW Building. There are other lots in the Borough and this would be an opportunity to inventory the property. He advised that Habitat for Humanity asked for a site and it would also help us with affordable housing. He would like to set up a committee to look at affordable housing because we have already purchased one lot. He would like to see if a portion of COAH funds can be set aside to help homeowners in flood areas with elevation. He would like to ask Councilman Jensen and Councilwoman Coira to be on the committee.

Mayor Schwager wants to be on the committee. Mr. Chewcaskie advised that the Mayor is technically an ex-officio on all committees. Mayor Schwager commented that this is the first time she is hearing about this committee and that she should have been given advanced notice. Although she thinks this is a great idea, she would have liked to have been given the courtesy. Councilman Visconti responded he did not mean to exclude her. He just wants to focus on what the Borough is doing with properties and how we can move forward.

Mr. Kunze advised that we are planning to fix a pipe and head wall by Crystal Lake. There is a pipe that needs to be realigned. We do need to get the Engineer under contract to handle before the lake fills back up. Councilman Jensen asked if we will be sending the bill to the Association. Mr. Kunze responded that this is the Borough's infrastructure. Councilman Jensen asked if there are any issues with outfall pipes. Mr. Kunze responded that he believes there is because there is a sink hole. That is for the Association to handle.

COUNCIL REPORTS:

Councilman Talamini: He attended the Board of Education meeting. They will be putting the transfer of the bus on their next meeting agenda. Parent universities will be held on December 10th at Valley Middle School and they will talk about the new PARC assessments. He asked that people refrain from bringing pets on school property.

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Councilman Kulmala: The Planning Board met October 7th. The Communications Commission met on October 16th and they are excited about the new venture. He advised that the OCC needs volunteers.

Councilman Visconti: The Park meeting is being held tonight. The Gerard Berman School will be doing a cleanup at the Park on November 2nd at 10 am. Boy Scout Kozak will be finishing his project this week and Boy Scout Fern will be completing his project by the end of the month. We are waiting for Boswell to contact the DEP. There was a meeting last week with the Library architect to create a scope for the project. Another meeting is scheduled for Friday. A concert was held Sunday. He advised that the use of the Library is up. Mayor Schwager reminded everyone the Library Book Sale is this weekend.

Councilman Pignatelli: The Fire Department's Ladies Auxiliary will hold a pancake breakfast on October 26th from 8 am to 12 pm. The flu clinic for Seniors will be held October 30th from 1 to 2 pm. The Police Department has advised there is an increase in car break-ins so keep car doors locked. There will be one last hazardous waste collection on November 1st at Campgaw. The Flood Commission discussed the progress of the CRS program. They are still waiting for a return inspection from the DEP. The Flood Commission also discussed flood elevation certificates. They discussed the possibility of getting group discounts for the flood elevation certificates. They also discussed the river restoration project. The Board of Health held hearings for two establishments in town. Councilman Pignatelli attended a meeting yesterday at Ramapo College for a discussion of the Pilgrim Pipeline. The Audobon Society expressed concerns. Pilgrim mentioned at the meeting that they are a non-regulated utility and they can go to the BPU for permission for eminent domain. They referenced statute 48:10. Mr. Chewcaskie responded that they would need permission from the BPU and the DEP. He advised that 48:10 goes back to 1962 and he would question the applicability.

Councilman Jensen: The Halloween Parade will be held at 10 am on Saturday October 25th. Kids are advised to be there at 9:30 am to line up at the lower parking lot of Valley Middle School.

Councilwoman Coira: The next Recreation meeting will be held October 27th at 8 pm.

OPENED FOR PUBLIC DISCUSSION:

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

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

Mike Pritchard, 23 Calumet Avenue, asked if the Council had the legislative statement for the direct deposit legislation. Mr. Kunze advised this is a 2013 law that went into effect July 2014.

Dave Richardson, 320 Ramapo Valley Road, advised that over 200 cars showed up for the car show that was held several weeks ago. He asked if that was going to continue. Mayor Schwager advised that the car show was a joint effort by the Community of Commerce and the Rotary Club. Mr. Richardson asked what is going to happen with the junk cars at the Recreation field. Mr. Kunze responded that the Borough will hold an auction.

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CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Jensen, seconded by Councilman Pignatelli, the following bills be submitted for payment:

(see following pages)

BE IT RESOLVED that the foregoing bills be paid and charged to their respective accounts when the funds are available.

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

MEETING ADJOURNED:

On motion of Councilman Jensen, seconded by Councilman Pignatelli, the meeting be adjourned at 9:37 pm.

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

Lisa M. Duncan, Borough Clerk
November 12, 2014

Mayor Linda H. Schwager

Date Approved