

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
TUESDAY NOVEMBER 22, 2016

MOVE TO EXECUTIVE SESSION:

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Personnel; Affordable Housing; Bi-County update; Ramapough Conservancy; Cherry Lane property; Dispatch
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Discussion ensued over various personnel issues and an Affordable Housing update.  
No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:43 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Coira, Jensen, Kulmala, Talamini, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

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MAYOR'S REPORT:

Mayor Schwager advised there was a meeting scheduled to discuss the school election survey but it was cancelled at the last minute. Mayor Schwager advised that Oakland is certified as a Sustainable Jersey Community and we need to get recertified. She asked anyone who is interested in participating on the Green Team to get Oakland recertified to contact her. The next meeting of the Green Team will be December 15<sup>th</sup> at 7 pm. Mayor Schwager explained that an anonymous letter was submitted from a resident regarding conditions at Copper Tree Mall. Mayor Schwager commented that she does not respond to anonymous letters but the issue has been referred to the Zoning Officer. Mayor Schwager advised that she attended a meeting on November 14<sup>th</sup> at Franklin Lakes with Councilman Kulmala, Mr. Kunze and the Police Chief. It was an informational meeting to discuss the possibility of a shared service for dispatch. Mayor Schwager spoke about the Oakland Elks and what they do for the community. They raise money for wounded veterans and sponsor Elks Camp Moore for special needs children. Mayor Schwager wished everyone a joyful holiday and to be thankful for all you have.

OPENED FOR PUBLIC DISCUSSION:

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

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

Brian Tully, 26 Calument Avenue, he thanked Peter Kikot for setting up the hay maze for the Halloween parade. He asked if the residents can get comparison sheets on dispatch.

CLOSED FOR PUBLIC DISCUSSION:

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

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

RESOLUTION 16-213 BUDGET TRANSFER

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

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Fiscal 2016 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Fiscal 2016 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that based on the recommendation of the Chief Financial Officer, the following transfers be made to the Fiscal 2016 budget:

<u>Current Fund</u>	From	To
Mayor and Council-Other Expenses	\$ 6,000.00	
Sub-total	\$6,000.00	
Shade Tree-Other Expenses		\$ 6,000.00
Sub-total		\$ 6,000.00

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

**RESOLUTION 16-216 AUTHORIZE AGREEMENT WITH NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY-TV INSPECTION**

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

WHEREAS, the Borough requires, at various times, television inspection of sanitary and storm water systems; and

WHEREAS, the Superintendent of the Department of Public Works and the Borough Administrator have reviewed the proposal of Northwest Bergen County Utilities Authority (NBCUA) to provide such services on an as-needed basis; and

WHEREAS that the fee being paid is less than the Borough would pay to private contractors; and

WHEREAS, the Borough Attorney has reviewed the Inter-local Service Agreement forwarded to the Borough by the Executive Director of the NBCUA;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the Borough of Oakland is hereby authorized and directed to execute the Inter-local Service Agreement for the provision of television inspection services of the Borough's sanitary and storm water systems; and

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA the sum of 83 cents (\$.83) per linear foot in 2017 and the sum of 84 cents (\$.84) per linear foot in 2018, and a minimum charge of \$400 per each day of inspection, for such services, and

BE IT FURTHER RESOLVED that a copy of this Resolution and the Contract with NBCUA shall be maintained in the Borough Clerk's office for public inspection.

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

**RESOLUTION 16-217 AUTHORIZE AGREEMENT WITH NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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

WHEREAS, the Borough requires, at various times, jetting services of sanitary and storm water systems; and

WHEREAS, the Superintendent of the Department of Public Works and the Borough Administrator have reviewed the proposal of Northwest Bergen County Utilities Authority (NBCUA) to provide such services on an as-needed basis; and

WHEREAS, the Borough Attorney has reviewed the Inter-local Service Agreement forwarded to the Borough by the Executive Director of the NBCUA; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the Borough of Oakland is hereby authorized and directed to execute the Inter-local Service Agreement for the provision of sanitary sewer cleaning for the Borough of Oakland; and

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA the sum of 51 cents (\$.51) per linear foot in 2017 and the sum of 52 cents (\$.52) per linear foot in 2018, and an equipment charge of \$500 per day, for such services, and

BE IT FURTHER RESOLVED that a copy of this Resolution and the Contract with NBCUA shall be maintained in the Borough Clerk's office for public inspection.

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

**RESOLUTION 16-218 SUPPORTING S-2663**

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

WHEREAS, almost all local units of government and Boards of Education in New Jersey including the Borough of Oakland secure insurance through governmental entities known as joint insurance funds (hereinafter JIFs);

WHEREAS, existing law limits JIFs to investments otherwise authorized for local governmental entities and Boards of Education;

WHEREAS, insurance mechanisms such as JIFs have different cash flow needs than local government and Boards of Education;

WHEREAS, existing law greatly limits the potential investment earning, currently less than 1% on investments of approximately \$1 billion;

WHEREAS, S-2663 and A-4234 would permit JIFs to invest in debt obligations of any governmental entity established under the laws of the State of New Jersey and federal agencies or governmental corporations;

WHEREAS, while the range of investments permitted by S-2663 and A-4234 is still very conservative, it would save the taxpayers at least \$10 million per year;

WHEREAS, S-2663 and A-4234 would also reduce interest expense for local units of government and Boards of Education by creating an additional purchaser of their bonds; and

WHEREAS, S-2663 and A-4234 would also permit JIFs to join together and create a joint investment and cash management program further increasing investment income;

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

1. Legislature is urged to adopt S-2663 and A-4234
2. A copy of this resolution shall be sent to all area legislators as well as the Governor, Commissioner of the Department of Banking and Insurance and the Commissioner of the Department of Community Affairs

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

#### RESOLUTION 16-219 HIRE SEASONAL DPW EMPLOYEES

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

WHEREAS, there is a need to hire seasonal snow plow employees for the Department of Public Works; and

WHEREAS, the seasonal snow plow employees will be paid the snow rate as specified in the Blue Collar Labor Agreement for which the current snow rate is \$ 31.00 per hour;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council hereby authorize the hiring of the following seasonal snow plow employees for the Department of Public Works effective November 23, 2016:

Dave Hutsebaut  
Guiseppe Capparelli  
Jeffrey Pereira

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

#### RESOLUTION 16-220 TABLED

On motion of Councilman Kulmala, seconded by Councilman Biale, Resolution 16-220 be tabled.

ROLL CALL: Yeas, Councilmembers Biale, Kulmala, Talamini.  
Nays, Councilmembers Coira, Jensen. Abstain, Councilman Visconti.

**RESOLUTION 16-221 TERMINATE LEASE-RAMAPOUGH CONSERVANCY**

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

WHEREAS, the Borough of Oakland entered into a Lease Agreement dated July 25, 2012 with the Ramapough Conservancy for the property known as the Van Allen House located at 3 and 5 Franklin Avenue, also known as Block 4601, Lot 39 for a period of 20 years; and

WHEREAS, the Lease Agreement, at Paragraph 16, allows for its termination by either party upon thirty (30) days written notice; and

WHEREAS, the Mayor and Council desires to terminate its relationship with the Ramapough Conservancy; and

WHEREAS, the Mayor and council is of the opinion that this termination would be in the best interest of the citizens of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland hereby authorizes the Borough Attorney to institute the necessary steps to terminate the Lease Agreement between the Borough and the Ramapough Conservancy.

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

**INTRODUCTION: ORDINANCE NO.16-BOND-748 CAPITAL ORDINANCE-VAN ALLEN**

The Clerk was directed to take from table Ordinance No. 16-Bond-748 and read by title for its first reading.

The Clerk then read by title Ordinance No. 16-Bond-748 entitled: " CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS TO THE VAN ALLEN HOUSE, BY AND FOR THE BOROUGH OF OAKLAND, APPROPRIATING THEREFOR THE SUM OF \$273,750.00 AND PROVIDING THAT SUCH SUM IN THE AMOUNT OF \$213,750 SO APPROPRIATED SHALL BE FUNDED BY THE BERGEN COUNTY HISTORICAL PRESERVATION TRUST FUND AND THAT SUCH SUM IN THE AMOUNT OF \$60,000 SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH."

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

BE IT RESOLVED that an Ordinance entitled, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Authorizing The Making Of Various Public Improvements To The Van Allen House, By And For The Borough Of Oakland, Appropriating Therefor The Sum Of \$273,750.00 And Providing That Such Sum In The Amount Of \$213,750 So Appropriated Shall Be Funded By The Bergen County Historical Preservation Trust Fund And That Such Sum In The Amount Of \$60,000 So Appropriated Shall Be Raised From The Capital Improvement Fund Of The General Capital Fund Of The Borough, be introduced;

That said Ordinance be considered for final adoption at a meeting on December 7, 2016 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 Saturday November 26, 2016 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 Biale, Coira, Jensen, Kulmala, Talamini, Visconti.

**FINAL PUBLIC HEARING: ORDINANCE NO. 16-CODE-746 TABLED**

On motion of Councilman Biale, seconded by Councilman Kulmala, the Final Public Hearing and adoption of Ordinance No. 16-Code-746 be tabled until December 21, 2016 so Planning Board can review.

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 16-CODE-747 TABLED**

On motion of Councilman Biale, seconded by Councilman Kulmala, the Final Public Hearing and adoption of Ordinance No. 16-Code-747 be tabled until December 21, 2016 so Planning Board can review.

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

**WORK SESSION:**

**AUTHORIZE GIS DATA EXCHANGE AGREEMENT:**

Mr. Kunze explained that this proposed agreement would facilitate the sharing of GIS Data between the Borough and County for the purpose of 'mutual aid and public safety'. Such data would be considered confidential and its distribution would be restricted, except as may be required to comply with open record laws. A resolution will be listed on the next agenda.

**LIBRARY BID:**

Mr. Kunze advised there were 15 bidders. He explained these bids need a lot of review. The Governing Body will need to discuss this in further detail in December to give direction for introducing a bond ordinance in 2017.

**DOGWOOD SCHOOL DRAINAGE BID:**

Mr. Kunze advised this work is being done on the Borough's storm sewer infrastructure at Dogwood School. There were 14 bidders. Mr. Kunze explained that the alternate bid price was secured on behalf of the Board of Education. If the Board of Education wishes to proceed, we would need to pursue an Interlocal agreement and the Board of Education will pay us for their portion of the work.

**PURCHASE DUMP TRUCK:**

Mr. Kunze advised that the funding of \$190,000 for this piece of equipment was authorized in the 2016 capital program. We are proposing to add a five year warranty and pay for it through the snow removal trust. It will replace one of our old, worn out primary salt trucks. Finally, the

purchase itself will be through the Educational Services Commission (ESCNJ) purchasing co-op. A resolution will be listed on the next agenda.

**COUNCIL REPORTS:**

Councilwoman Coira: No report.

Councilman Jensen: The Planning Board will meet on December 8<sup>th</sup> at 7 pm at the Senior Center.

Councilman Visconti: He advised that the estimate for the Library renovation project was \$ 1.3 million and there were a number of bids that were right around the estimate. He thanked Mr. Kunze for his work on this. There was a Park Committee meeting last night. The clean up is done. At this point, aerial photographs are needed for the LOI. Councilman Kulmala is working on getting that done.

Councilman Biale: The Seniors will hold their end of year party on December 29<sup>th</sup> at 11 am. The Surrogate's satellite office is now at the Senior Citizens Center. The Borough requested LED lights from Rockland Electric. He will follow up with Rockland to see if they have done the installation. The construction on the exit ramp from 287 should be done by the end of the month. Councilman Biale commented that we need to get help from the DOT to get sidewalks from the north end of town. He wished everyone a Happy Thanksgiving.

Councilman Kulmala: He thanked OCC for their work on the Crossroads newsletter. The final print newsletter was mailed out. The newsletter will be on the new website in the future. West Oakland Avenue was paved. The Fire Department will have a new Fire Chief, Dave Hutsebaut, next year.

Councilman Talamini: There will be a minimum day for the schools on Wednesday and schools will be closed Thursday and Friday. The Board of Health met tonight and will meet again on December 20<sup>th</sup>. The Public Events Committee will hold the Tree and Menorah Lighting on December 4<sup>th</sup> at 5:00 pm. The next meeting of the Public Events Committee will be held December 12<sup>th</sup> at 7 pm. He wished everyone a Happy Thanksgiving.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

Frank DiPentima, 6 Mt. Lakes Road, asked the status of the old equipment being stored at the Recreation field. Mr. Kunze responded that he is in the process of getting quotes from an online bidding company. Mr. DiPentima asked for an estimated timeline of when this will be done. Mr. Kunze responded by the beginning of the year.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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



**BILLS TO BE PAID:**

On motion of Councilman Talamini, seconded by Councilman Biale, the following bills be submitted for payment:

(see following pages)

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

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

**MOVE TO EXECUTIVE SESSION:**

On motion of Councilman Visconti, seconded by Councilman Biale, 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:  
Personnel; Bi-County update; Cherry Lane; Dispatch
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Discussion ensued over personnel matters, the Bi-County update, Cherry Lane property, and dispatch.

No action taken.

**CLOSE EXECUTIVE SESSION:**

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

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

RECONVENE MEETING:

On motion of Councilman Biale, seconded by Councilman Kulmala, the regular meeting be reconvened.

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

MEETING ADJOURNED:

On motion of Councilman Talamini, seconded by Councilman Visconti, the meeting be adjourned at 8:57 pm.

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

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Lisa M. Duncan, Borough Clerk  
December 7, 2016

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Mayor Linda H. Schwager

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Date Approved