

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY DECEMBER 21, 2016

MEETING CALLED TO ORDER: By Council President Kulmala at 7:36 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: Council President Kulmala 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 OF CERTIFICATES TO OAKLAND TRAVEL BASEBALL 13U TEAM
Recreation Commissioner Steve Saliani presented certificates to the Braves 13U Baseball team for winning the NJYB Summer Sizzle 2016 Regional Tournament Championship:

Matt Bieger	Jacob Carlson	Charles DePrima	Dylan Francis
Colin Harrington	Ryan Kimble	Zack LeRoy	Ryan Perry
Max Polizzi	Luke Schermerhorn	Brendan Shaffer	Richie Soloman
Jack Wagnes	Rick Rex, Manager	Roger Shaffer, coach	Paul Granatell, coach

Recreation Commissioner Steve Saliani presented certificates to the Braves 10U team for winning back-to-back league championships:

Michael Caso	Owen Caufield	Owen Fadini	Mitchell Folina
Brian Gummere	Jack McFaul	Connor Moriarty	Ryan Pulice
Nicholas Sendrowski	Nicholas Vitelli	James Zwolinski	Henry Pulice

Coaches:

Bryan Sendrowski	Henry Pulice	Steve Fadini	Matt Folina
Jim Zwolinski	Eric Steriele		

Mayor Schwager entered at 7:39 pm.

PRESENTATION TO COUNCILMAN JENSEN:

Senator Cardinale and Assemblyman Auth read a Proclamation issued to Councilman Tim Jensen for his years of service. Councilman Talamini presented Councilman Jensen with a present from the Borough.

MAYOR'S REPORT:

Mayor Schwager advised that the new website is up and running. She advised that a meeting was held last week with the school board to discuss results of the survey on the election. A total of 852 people participated in the study. 64.83% want the school board election to remain in April and 31.57% want the election moved to November. The Governor has decided to form a

Commission to study this issue. Mayor Schwager advised anyone whose term on a Board or Commission is expiring to fill out a Citizen Leadership Form. She wished everyone a Happy Healthy New Year. The swearing in ceremony will be held on January 7, 2017 at 6:00 pm.

APPOINTMENT TO FIRE DEPARTMENT:

On motion of Councilman Kulmala, seconded by Councilman Biale, Daniel DeRisi be appointed to the Oakland Volunteer Fire Department.

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

Mayor Schwager administered the Oath of Office to Mr. DeRisi.

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.

No comments made.

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.

APPROVAL OF MINUTES: DECEMBER 7, 2016

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of December 7, 2016 be approved.

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

APPROVAL OF MINUTES: DECEMBER 7, 2016 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of December 7, 2016 be approved.

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

REQUEST TO WAIVE MUNICIPAL BUILDING FEE:

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted to waive the municipal building permit fee for Manny Chirico, 23 Manito Avenue, to build a handicapped ramp.

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

APPROVE RAFFLE LICENSE RL1295

On motion of Councilman Biale, seconded by Councilman Visconti, approval be granted to Raffle License RL1295 for Oakland-Franklin Lakes Rotary Club to hold an off-premise raffle on June 27, 2017 at Portobello Restaurant, 155 Ramapo Valley Road.

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

RESOLUTION 16-220

Councilman Jensen made a motion to remove Resolution 16-220 from the Table. There was no second to the motion. The resolution does not move forward.

RESOLUTION 16-228 AUTHORIZE RECREATION REFUNDS

On motion of Councilman Biale, seconded by Councilman Talamini, 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 Basketball Registration Fees in the amount of \$70.00; and

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

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

Jayne O'Neill, 3 Hickory Dr., Oakland, NJ 07436 refund due \$70.00

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

RESOLUTION 16-229 AUTHORIZE PURCHASE 2017 POLICE INTERCEPTOR

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

WHEREAS, the Borough of Oakland is in need of purchasing a 2017 Ford Police Interceptor Utility All-Wheel Drive vehicle; and

WHEREAS, Winner Ford of Cherry Hill, New Jersey has NJ Contract #88728 for the Police Interceptors Utility Vehicle as per the specifications desired; and

WHEREAS, the cost for the vehicle is \$24,694.00 with the desired options; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #6-01-25-240-051;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Purchasing Agent is hereby authorized to issue a Purchase Order to Winner Ford of Cherry Hill, New Jersey for the purchase of a 2017 Police Interceptor Utility vehicle at a total cost of \$24,694.00.

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

RESOLUTION 16-230 AUTHORIZE PURCHASE 2017 FORD F150

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

WHEREAS, there is a need to replace the Police Department pick-up truck; and

WHEREAS, Winner Ford of Cherry Hill, New Jersey has NJ State Contract #88728 for the 2017 Ford F150 4x4 Crew Cab at a cost of \$28,935.00 for the specifications desired; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #6-01-23-210-004, \$20,105.25; and Account #6-01-25-240-051, \$8,829.75;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Purchasing Agent is hereby authorized to issue a Purchase Order to Winner Ford of Cherry Hill, New Jersey for the purchase of a 2017 Ford F150 4x4 Crew Cab at a cost of \$28,935.00.

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

RESOLUTION 16-231 AWARD BID-DOGWOOD SCHOOL DRAINAGE IMPROVEMENTS

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

WHEREAS, on November 22, 2016, the Borough of Oakland received 14 bids for the Dogwood Hill School Drainage Improvements Project; and

WHEREAS, Consolidated Maintenance Solutions of Pine Brook, New Jersey had the lowest responsive and responsible bid with a base bid price of \$48,850 and Alternate bid price of \$ 26,100 for a total bid of \$ 74,950; and

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the bids and have recommended acceptance of the bid of Consolidated Maintenance Solutions; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-706-206 \$ 18,550; Account #C-04-56-712-216 \$ 30,300; Account #C-04-55-002-006 \$ 26,100;

NOW, THEREFORE, BE IT RESOLVED, that the bid of Consolidated Maintenance Systems in the total amount \$74,950 be accepted; and

BE IT FURTHER RESOLVED that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

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

RESOLUTION 16-232 AUTHORIZE SHARED SERVICE AGREEMENT-BOARD OF EDUCATION

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

WHEREAS, the Borough of Oakland desires to construct a new headwall which will improve the drainage system on Borough property adjacent to Dogwood Hill Elementary School; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes public entities to enter into a contract with each other to share services which the entities are empowered to provide or receive within their own jurisdictions, including services incidental to the primary purposes of any of the participating public entities; and

WHEREAS, the Oakland Board of Education desires to assist in this project as certain portions of the work directly address the Board's drainage needs, which will benefit both the school community and the residents of the Borough; and

WHEREAS, the Borough of Oakland desires to enter into a shared service agreement which sets forth the obligations and responsibilities of each party, with the Oakland Board of Education, in the form attached to this Resolution.

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

1. The Mayor and Borough Clerk are authorized to execute the shared service agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Oakland Board of Education, the Borough Engineer and Brian M. Chewcaskie, Borough Counsel.

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

RESOLUTION 16-233 AMEND CONTRACT-BOROUGH ATTORNEY

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

WHEREAS, the Governing Body awarded a contract to Brian M. Chewcaskie of Gittleman, Muhlstock, & Chewcaskie as Borough Attorney for 2016 for an amount not to exceed \$ 50,000 for work outside his retainer; and

WHEREAS, the Borough Attorney has requested an additional \$ 10,000 due to anticipated work on tax appeals and affordable housing litigation; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account# 6-01-20-155-028;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the contract for the Borough Attorney to be amended by an additional \$ 10,000.

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

RESOLUTION 16-234 AMEND CONTRACT-WATER & SEWER ENGINEER

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

WHEREAS, the Governing Body awarded a contract to Kevin Boswell of Boswell McClave Engineering as Water & Sewer for 2016 for an amount not to exceed \$ 17,000; and

WHEREAS, the Water & Sewer Engineer has requested an additional \$ 10,000 due to additional work required in the negotiations for sewers; and

WHEREAS, the Chief Financial Officer has certified that the funds are available in Account# 6-05-55-502-028;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the contract for the Water & Sewer Engineer to be amended by an additional \$ 10,000.

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

RESOLUTION 16-235 CANCEL CAPITAL BALANCES

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

WHEREAS, certain Capital Improvement Authorization balances remain dedicated to projects which have been completed; and

WHEREAS, the balances are no longer necessary for the purpose originally created,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the following balances of unexpended General Capital Improvement Authorizations be cancelled as follows:

General Capital

<u>Ordinance Number Balance</u>	<u>Description</u>	<u>Unexpended Improvement Authorization</u>
12-670	Flood Control Admin Costs	\$ 1,000.00
13-689	Turnout Gear	\$ 157.16
13-689	Rescue Motor Boat	\$ 5,000.00
13-690	Rec Admin Costs	\$100,398.86
13-690	Rec Complex Field Lighting	\$ 82,781.21
13-690	Backstops	\$ 8,948.00
13-690	Road Improvement Admin Costs	\$ 24,262.32

14-704	Fire Addition	\$ 1,089.00
14-704	Radios	\$ 1,494.82
14-704	Turnout Gear	\$ 101.45
14-704	Admin Road Repair	\$ 575.50
14-704	NJ DOT Admin Supplemental	\$ 1,768.00
14-704	Patriot's Way Bridge Admin	\$ 140.00
14-704	Upgrade Fire Supp System	\$ 10,000.00
14-704	Police MDT	\$ 561.00
14-704	Police Evidence Log Equip	\$ 4.50
15-717	Fire SCBA Bottles	\$ 119.70
15-717	DPW Pickups/Plows	\$ 227.26
15-717	DPW Floor	\$ 6,000.00
15-717	Police Fingerprint Machine	\$ 4,478.84
15-717	Police Security Cameras	\$ 48.00
15-717	Police Locker Room Upgrade	\$ 2,331.94
15-718	DPW Backhoe	\$ 6,601.79

Total – General Capital \$ 258,089.35

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

RESOLUTION 16-236 BUDGET TRANSFER

On motion of Councilman Biale, seconded by Councilman Talamini, 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
Insurance-Group Health OE	\$ 20,865.00	
Sub-total	\$ 20,865.00	
PERS		\$ 19,029.00
PFRS		\$ 1,836.00
Sub-total		\$ 20,865.00

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

RESOLUTION 16-237 HIRE SEASONAL DPW EMPLOYEE

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

WHEREAS, there is a need to hire a seasonal snow plow employee 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 December 22, 2016:

Dylan Morgan

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

FINAL PUBLIC HEARING: ORDINANCE NO. 16-CODE-746 AMEND SOLAR PANEL
ORDINANCE-TABLED

Mr. Chewcaskie advised that the public hearing and final adoption for this ordinance and Ordinance 16-Code-747 Amend Sign Ordinance were carried to tonight because the Planning Board had carried their review to their December meeting. Based on the letter received from the Planning Board, they are recommending the ordinances not be adopted so amendments can be made. Mr. Chewcaskie suggested tabling the ordinance.

MOTION TO TABLE:

On motion of Councilman Biale, seconded by Councilman Kulmala, the final adoption of Ordinance 16-Code-746 be tabled.

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

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

Mr. Chewcaskie advised that this ordinance should be tabled based on the Planning Board recommendation.

MOTION TO TABLE:

On motion of Councilman Biale, seconded by Councilman Talamini, the final adoption of Ordinance 16-Code-747 be tabled.

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

Mr. Chewcaskie advised that these ordinances would have to be reintroduced in 2017.

WORK SESSION:

LIBRARY PROJECT:

Councilman Visconti advised that a few years ago, the Borough hired an architect and did an extensive study of work to be done at the Library. The bid documents were prepared with two alternates. We received 15 bids and 1 bid was withdrawn. The low bid was \$ 1.346 million

including the two alternates. The base bid was work that was unfinished from the original project and work on the original section of the Library. Alternate 1 is for the removal and replacement of the existing storefront and automatic doors at the entrance vestibule. Alternate 2 is for the renovation of the existing Adult area in the basement of the new section of the Library for community meeting space. Alternates 1 and 2 are not essential but would make the Library nice for future use. He is asking the Council what they want to do so funding can be put into place.

Mr. Kunze advised the Mayor and Council that they can award Alternate 1 or Alternate 1 and 2 but they cannot award only Alternate 2 according to the bidding laws. The Library is becoming more about programs and meeting space. He explained that whatever the Mayor and Council decide to move forward with, a bond ordinance will be prepared for introduction. Councilman Visconti questioned how much funding is already on hand. Mr. Kunze responded that there is approximately \$ 300,000. Councilman Visconti advised that the original estimate for the project was \$ 1.3 million. He advised that with construction, a contingency must be planned for.

Councilman Biale asked if the contractor has been vetted. Mr. Chewcaskie advised that the architect has checked references and recommended that they were satisfactory. Councilwoman Coira felt that the project should move forward because the Library is an asset to the community. She recommended that the project should be awarded for the base bid and both alternates. Councilman Jensen agreed that the entire project should be done. Councilman Visconti is in favor of doing the entire project. He advised that Library Director Peter Havel is an asset to the community. Councilman Biale agreed to move forward with the entire project. Councilman Kulmala commented that the Library has been eyesore and half of it cannot even be used. The Library has changed focus and will become a community school. He agreed to do the entire project. Councilman Talamini agreed to do the entire project. He asked if there will be any down time for the Library. Councilman Visconti advised that the work will be phased. He advised that there will be a meeting held on January 10th with a construction manager. Councilman Kulmala asked if there will be an impact for the Valley Middle School students who use the Library after school. Councilman Visconti advised that part of the design is to create a young adult space. He advised that the work will first be done in the old section of the Library. He explained that by the time the project is awarded and gets started, it will probably be spring.

Mr. Kunze will work on the bond ordinance which will be introduced in January.

COUNCIL REPORTS:

Councilwoman Coira: Recreation is holding sign ups for girls volleyball program which will run from January 24th to March 24th. The Recreation Commission is starting a new girls basketball program.

Councilman Jensen: No report.

Councilman Visconti: The Flood Commission held their meeting. The river restoration project needs approval from the State. We have acquired additional boulders for the project. The Park Committee held their meeting and will be moving forward with fundraising in the next few weeks. He thanked Councilman Kulmala for taking pictures of the area for the LOI. The Water and Sewer Committee met and there was further discussion of sewers.

Councilman Biale: He and the Mayor attended the Senior Club holiday party. The Seniors will hold their end of the year celebration on December 29th at 11 am. The project at the 287 exit ramp is now completed. Councilman Biale advised it has been 10 months since meeting with Rockland Electric about the free LED lights and we still have not received the lights we were

promised for 2016. He advised that someone needs to contact Rockland and get them to move forward. He wished everyone a Merry Christmas and Happy New Year.

Councilman Kulmala: He advised that the new website is wonderful. It is easy to navigate. Residents can submit service requests online. Residents can also subscribe to news alerts. He explained that the Borough is trying to improve communications with the residents. Councilman Kulmala advised that the Fire Department fought two fires recently-one at the Oakland Diner and one on Yawpo Avenue. They did a wonderful job. He reminded residents to shovel around fire hydrants. He thanked the Fire Department for bringing Santa around last Saturday. Councilman Kulmala advised that Bergen County will be the first to use the new FEMA emergency alert system. He wished everyone a Merry Christmas and Happy New Year.

Councilman Talamini: He advised that the Public Events Committee needs more members. The schools will be closed for break. The Board of Education wants to wait for the Commission study on the school election before making a decision whether to move the election. The Board of Health instituted a new fee schedule for septic reviews. Councilman Talamini thanked Councilman Jensen for his time on the Council. He explained that it is an important job and people do not realize the time and effort involved.

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.

Mike Guadagnino, 34 Hopper Street, thanked Councilman Jensen for his work.

Ryan Schwertfeger, 58 Andrew Avenue, thanked Councilman Jensen for his service. He congratulated Councilman-elect Knapp. He advised that the new website looks nice. He advised that progress is being made with the dog park and fundraising will begin. He thanked Mr. Kunze and Mr. Chewcaskie for their help regarding the fundraising.

Brian Tully, 26 Calumet Avenue, thanked Councilman Jensen for his service. He asked if there is any news on dispatch. Mayor Schwager advised that a meeting was held to discuss technology.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

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

(see following pages)

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

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

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Visconti, the meeting be adjourned at 8:55 pm.

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

Lisa M. Duncan, Borough Clerk
January 11, 2017

Mayor Linda H. Schwager

Date Approved