

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MARCH 22, 2017

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Negotiations-Dispatch; PBA contract
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, Knapp, Kulmala, Talamini, Visconti.

Discussions ensued regarding negotiations regarding dispatch and PBA negotiations. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Council President Talamini at 7:40 pm.

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

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Council President Talamini 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:

Councilman Talamini announced the Mayor's Wellness Campaign will take place March 27th to May 20th.

APPOINTMENTS TO FIRE DEPARTMENT:

On motion of Councilman Biale, seconded by Councilman Visconti, Eric Degrosa and Jeffrey Binder be appointed to the Oakland Volunteer Fire Department.

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

Councilman Kulmala performed the Oath of Office to Firefighters Degrosa and Binder.

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, Knapp, Kulmala, Talamini, Visconti.

Dan D'Elia, 7 Fordham, commented that sidewalks on Franklin Ave. and Cardinal Drive were not shoveled after this last storm. He asked who enforces the ordinance. Councilman Talamini responded that it is the Police Department. Councilman Kulmala advised he has a report from the Police Department. They issued warnings to homeowners on various streets in town. He will advise them of Mr. D'Elia's complaint.

Dot O'Connor, Hemlock Street, spoke about dumping of vegetative waste down stream. It is bad for the environment and the river and is illegal. She asked if signs could be made up saying dumping is illegal. A notice could be put on the Flood Commission website.

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, Knapp, Kulmala, Talamini, Visconti.

APPROVAL OF MINUTES: MARCH 8, 2017

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of March 8, 2017 be approved.

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

APPROVAL OF MINUTES: FEBRUARY 22, 2017 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Visconti, the minutes from the Mayor and Council Executive Session of February 22, 2017 be approved.

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

APPROVAL OF MINUTES: MARCH 8, 2017 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Visconti, the minutes from the Mayor and Council Executive Session of March 8, 2017 be approved.

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

APPOINTMENT TO PUBLIC EVENTS COMMITTEE:

On motion of Councilman Biale, seconded by Councilman Visconti, Brian Tully be reappointed to a two-year term on the Public Events Committee to expire December 31, 2018.

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

RESOLUTION 17-59 AUTHORIZE INTERLOCAL AGREEMENT-WALDWICK WELL-BABY CLINIC

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

WHEREAS, N.J.S.A. 40A:8A-1, known as the "Interlocal Services Act", authorizes agreements between local units for any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Oakland and Waldwick and their respective Boards of Health have determined that it is in their best interests to enter into an Interlocal Service Agreement for providing certain services to infants and pre-school children that reside in Oakland through the Waldwick Well-Baby Clinic as mandated by the Public Health Council of the State of New Jersey; and

WHEREAS, in consideration of the services to be performed herein, Oakland shall be assessed a one-time administrative fee of \$ 125.00, payable upon execution of the contract, and a \$ 35.00 per child fee for examinations and a \$ 20.00 per child fee for immunizations only, to be billed directly by the medical provider; and

WHEREAS, the Chief Financial Officer has determined that funds are available in Account # 7-01-27-330-150;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute the agreement for Interlocal Services with the Borough of Waldwick for services with the Waldwick Well-Baby Clinic effective until December 31, 2017.

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

RESOLUTION 17-98 AUTHORIZE NATURE TRAIL GRANT APPLICATION

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

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Oakland strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Oakland Environmental Commission is a participating member of the Association of New Jersey Environmental Commissions (ANJEC); and

WHEREAS, The Oakland Environmental Commission would like to have a formal trail guide made with diagrams to help explain the geology and ecology of Stewart Woods Park. The guide will correspond to the 10 stations already marked along the trail; and

WHEREAS, the ANJEC small grant of \$1500 to support projects that advance local open space stewardship, and help to raise the profile of the environmental commission in the community through publicity and public participation or collaboration with local groups on the project.

THEREFORE, the Borough of Oakland has determined that the Borough should apply for the aforementioned Grant in the amount of \$ 1500;

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, State of New Jersey, authorize the submission of the aforementioned ANJEC Grant Application for Open Space Stewardship Projects.

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

RESOLUTION 17-99 AUTHORIZE REFUND LIEN #16-00038

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

WHEREAS, the Oakland Tax Collector has received funds from a property owner or other party of interest for redemption of a Tax Sale Lien 16-00038, Block 2703, Lot 1, Qualifier C00D3 better known as 9 Post Road, on March 13, 2017; and

WHEREAS, lien holders are entitled to payment for redemption of the Tax Lien upon receipt of funds by the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$ 73.28, payable to Tower Fund Services/Cust Ebury, TWR as CST for Ebury Fund 1 NJ, PO Box 37695, Baltimore, MD 21297;

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$ 73.28 to the aforementioned lien holder.

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

INTRODUCTION: ORDINANCE NO. 17-CODE-754 CAP BANK

The Clerk was directed to take from table Ordinance No. 17-Code-754 and read by title for its first reading.

The Clerk then read by title Ordinance No. 17-Code-754 entitled: " ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)"

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

BE IT RESOLVED that an Ordinance entitled, " Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14), be introduced;

That said Ordinance be considered for final adoption at a meeting on April 12, 2017 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 March 27, 2017 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, Knapp, Kulmala, Talamini, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO. 17-BOND-752 CAPITAL-SENIOR CENTER A.C. UNIT

The Clerk was directed to take from the table Ordinance No. 17-Bond-753 and read by title for its final hearing.

The Clerk then read by title 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 SENIOR CENTER, BY AND FOR THE BOROUGH OF OAKLAND, APPROPRIATING THEREFOR THE SUM OF \$20,000.00 AND PROVIDING THAT SUCH SUM IN THE AMOUNT OF \$20,000 SO APPROPRIATED SHALL BE

RAISED FROM THE CAPITAL SURPLUS FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH.”

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments.

CLOSED FOR PUBLIC DISCUSSION:

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

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

On motion of Councilman Biale, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed on a 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 Senior Center, By And For The Borough Of Oakland, Appropriating Therefor The Sum Of \$20,000.00 And Providing That Such Sum In The Amount Of \$20,000 So Appropriated Shall Be Raised From The Capital Surplus Fund Of The General Capital Fund Of The Borough, 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 Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

FINAL PUBLIC HEARING: ORDINANCE NO. 17-CODE-753 AMEND ORDINANCE-CFO

The Clerk was directed to take from the table Ordinance No. 17-Code-753 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled “AN ORDINANCE AMENDING CHAPTER II OF THE CODE OF THE BOROUGH OF OAKLAND, ENTITLED “ADMINISTRATION”, SPECIFICALLY, AMENDING SECTION 2-3.5A ENTITLED “CHIEF FINANCIAL OFFICER”

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments.

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, Knapp, Kulmala, Talamini, Visconti.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending Chapter II Of The Code Of The Borough Of Oakland, Entitled "Administration", Specifically, Amending Section 2-3.5a Entitled "Chief Financial Officer", 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 Biale, Coira, Knapp, Kulmala, Talamini, Visconti.

BUDGET:

Borough Auditor Frank Di Maria distributed a budget comparison sheet from 2016 and 2017 figures. He spoke about revenues and appropriations. He advised that the Mayor and Council should look into the amount of surplus being generated.

RESOLUTION 17-100 READ BUDGET BY TITLE

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

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved municipal budget as advertised has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

NOW, THEREFORE, BE IT RESOLVED, that the CY2017 municipal budget shall be read by title only.

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

RESOLUTION 17-101 INTRODUCTION OF BUDGET

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

Municipal Budget of the Borough of Oakland, County of Bergen for the Fiscal Year 2017

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2017.

BE IT FURTHER RESOLVED that said budget be published in The Bergen Record in the issue of April 5, 2017.

The Governing Body of the Borough of Oakland does hereby approve the following budget for the year 2017.

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Oakland, County of Bergen, on March 22, 2017

A hearing on the Budget and Tax Resolution will be held at Council Chambers, on April 26, 2017 at 7:30 o'clock pm at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

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

WORK SESSION:

REQUEST FROM MAHWAH FOR ACTING MUNICIPAL COURT ADMINISTRATOR

Mr. Kunze advised that Oakland has been approached by Mahwah to enter into an agreement. Mr. Kunze is concerned because we already have an agreement with Franklin Lakes and Wyckoff. Entering into this agreement might overburden our Court Administrator. The consensus of the Council was not to move forward.

DUE DILIGENCE PROPOSALS-ROOSEVELT FLOOD BUYOUTS

Mr. Kunze advised that the Council must authorize the due diligence on the remaining Phase 2 Roosevelt flood buyout houses. Resolutions will be listed on the next agenda.

NEW BUSINESS:

Councilwoman Coira advised she attended a class about grants run by Congressman Gottheimer. She explained that District 5 only gets back 33 cents for every dollar we pay. They recommended grant writing companies. Councilwoman Coira feels the Borough should contract with a grant writing company on an annual basis to advocate for funding for us. Councilman Biale thinks it would be a good idea to have someone come in to give a presentation to the Mayor and Council. Mr. Kunze will arrange this.

COUNCIL REPORTS:

Councilman Kulmala: The Recreation Commission meeting will be held Monday March 27th at 8 pm. OEM had no issues with the last snowstorm. He reminded residents to shovel out fire hydrants.

Councilman Biale: The Pipeline Group will hold an event March 30th at Valley Stables. The attorney for the Pipeline Group submitted a model ordinance to cover wellhead protection. The Seniors visited Oakland Care Center. The Senior art class took a trip to Montclair State

University. The Seniors will hold a tea party on April 20th. The Bergen County Executive will meet with the Seniors on April 21st. He commended the DPW for making our roads the best in Bergen County during the snowstorm. He read a letter from a resident commending the DPW. Councilman Biale reminded residents that twice per week garbage pick up will begin on April 3rd along with yard waste pick up.

Councilman Talamini: The Public Events Committee will hold the Easter Egg Hunt on Saturday April 8th at 9:30 am. The raindate will be Sunday April 9th at 1 pm. The Public Events Committee is always looking for volunteers. He thanked the Recreation Commission. Basketball season just ended and it was a great season. He thanked the people who coach for Oakland who help to make the Recreation program such a success.

Councilman Visconti: The Flood Commission held a discussion about dumping and the maintenance of the river at their last meeting. River keeper Roy Bauberger suggested that an assessment of the river be done in the spring. The Park Committee discussed the fundraising for the dog park. April 22nd will be a town wide cleanup of the parks. The Library construction has begun. There was a meeting today with the company supplying furniture. There was a concert last week. All the programs are on the Library's website.

Councilwoman Coira: The Green Team met on March 20th. Bergen County is holding a Care Fair on April 23rd at the Hasbrouck Heights Hilton. Councilwoman Coira reiterated that the Recreation coaches are great and her kids just love the Recreation program.

Councilman Knapp: He was not able to attend the Board of Health meeting. The Municipal Alliance Committee met on March 13th and discussed Safety Town which will be held July 10th to July 20th. There will be a program on Tuesday April 25th called Hidden in Plain Sight which will be held at Westwood High School at 7 pm.

Councilman Kulmala advised that the Borough's auction for vehicles is being held March 15th to 29th on Municibid website.

Councilman Biale advised that the LED lights have been installed on Seminole Ave. and Dogwood Drive. He asked residents to report any lights that they feel are a safety issue.

Councilman Talamini asked about the double poles on Franklin and Hiawatha. Mr. Kunze will follow up with DPW.

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, Knapp, Kulmala, Talamini, Visconti.

Frank Di Pentima, 6 Mt. Lakes Road, advised that the Ladies Auxiliary will hold its annual Pancake Breakfast on Sunday from 8 to 12. He commented that the AFS is not complete but the due date is early February. The CFO advised the AFS will be out this week with the budget. Mr. Di Pentima questioned how many warnings or summonses were issued for not cleaning fire hydrants.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Talamini, seconded by Councilman Visconti, 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, Knapp, Kulmala, Talamini, Visconti.

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Kulmala, the meeting be adjourned at 8:30 pm.

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

Lisa M. Duncan, Borough Clerk
April 12, 2017

Mayor Linda H. Schwager

Date Approved