

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY SEPTEMBER 27, 2017

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Visconti, seconded by Councilman Talamini, 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:  
Affordable Housing; Personnel
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Councilman Biale entered at 6:39 pm.

Discussion ensued over Affordable Housing and personnel matters. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:32 pm.

ROLL CALL: Mayor Schwager 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; 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 advised that there will be a ribbon cutting ceremony on Friday at 4 pm at Recreation Field 6 for the outdoor exercise equipment. She commented that Oakland has a great Recreation Complex.

RECOGNITION OF TEEN LIBRARY VOLUNTEERS:

Mayor Schwager and Ned Von Lindern from the Library handed out certificates to the teen volunteers for the Library:

Jasmine Azar	Thomas Barca	Avarie Bergen	Caitlin Conlon
Ryan Downes	Timothy Downes	Delicia Flores-Gomez	Arielle Gitlitz
Sydney Gitlitz	Benjamin Good	Mollie Good	Aman Grover
Tara Haymon	Celina Linares	Ashley Lo	Krishan Patel
Amaya Pichardo	Lea Pichardo	Paz Quinones	Trisha Reddy
Mary Robinson	Olivia Salazar	Gabrielle Singer	Chris Supko
Megan Swenson	Aliana Trianine	Isabella Trianine	Emilie Vaysee
Brett Vuurens	Kaly Vuurens	Adam Waidlich	

APPOINTMENT OF OAKLAND VOLUNTEER FIREFIGHTER:

Mayor Schwager administered the Oath of Office to new Volunteer Firefighter Andrew Colurciello, Jr.

OPENED FOR PUBLIC DISCUSSION:

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

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

Dave Richardson, 320 Ramapo Valley Road, spoke about the problems at the intersection of Ramapo Valley Road and West Oakland Avenue. Mayor Schwager responded that it is a problem intersection. Route 202 is a County road but because of 287, it is under the authority of the State. She advised that the Borough is working on changing the green arrow at that intersection.

Don Burns, 22 Whittier Lane, thanked Councilman Kulmala for his help with another traffic issue. Councilman Kulmala advised he will bring the issue up at the next Public Safety meeting.

**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: SEPTEMBER 13, 2017**

On motion of Councilman Biale, seconded by Councilwoman Coira, the minutes from the Mayor and Council meeting of September 13, 2017 be approved.

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

**APPROVAL OF MINUTES: SEPTEMBER 13, 2017 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilwoman Coira, the minutes from the Mayor and Council Executive Session of September 13, 2017 be approved.

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

**APPOINTMENT TO SHADE TREE COMMISSION:**

Mayor Schwager appointed Ray Carroll to an unexpired term as Alternate 1 on the Shade Tree Commission. The term will expire December 31, 2021.

**APPROVE RAFFLE LICENSE RL1310**

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted to Raffle License RL1310 for Coalition for Animals to hold a tricky tray on November 18, 2017 at St. Alban's Episcopal Church.

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

Mr. Kunze advised that Resolutions 17-253 and 17-264 have to be held. More information is required for the grant applications before they can be submitted.

**RESOLUTION 17-263 AUTHORIZE RECREATION REFUNDS**

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 has received requests for refunds of Soccer Registration Fees in the amount of \$266.00; 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 refunds to:

Steve Meetre, 19 Winding Ridge, Oakland, NJ 07436 refund due \$77.00  
Carolina Mirko, 46 Chuckanutt Drive, Oakland, NJ 07436 refund due \$62.00  
Johnathan Kulhawy, 16 Rutgers Drive, Oakland, NJ 07436 refund due \$127.00

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

**RESOLUTION 17-265 AUTHORIZE CAPITAL ALTERNATIVES TO PREPARE A NJDOT GRANT APPLICATION FOR SIDEWALK PROJECT**

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 desires to submit an application to the Commissioner of Transportation for monetary aid under the New Jersey DOT Local Aid Infrastructure Program; and

WHEREAS, the Mayor and Council have determined assistance is needed for preparation of the application and is seeking the services of grant specialists Capital Alternatives Corporation; and

WHEREAS, Capital Alternatives Corporation shall be paid a Fulfillment Fee for a municipal-authorized and awarded application in accordance with the terms and conditions of a standard CAC contract which are as follows:

- 10% of the grant amount on grant awards up to \$ 500,000
- 8% of the grant amount in excess of \$ 500,000

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

WHEREAS, Capital Alternatives Corporation has complied with the Borough of Oakland's Pay-To-Play requirements; and

WHEREAS, the Chief Financial Officer has certified that, upon award of grant funds, the funds will be made available from a future capital bond ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Capital Alternatives Corporation for preparation of the DOT Local Aid application; and

BE IT FURTHER RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the Borough of Oakland for the stated project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough.

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

**RESOLUTION 17-266 AUTHORIZE RETURN OF ESCROW-CENZINO'S RISTORANTE**

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

WHEREAS, Cenzino's Ristorante has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$1,097.92 remains in Escrow Account #T-26-00-004-297;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$1,097.92 to Cenzino's Ristorante, 589 Ramapo Valley Rd., Oakland, NJ 07436.

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

**RESOLUTION 17-267 AUTHORIZE RETURN OF ESCROW FUNDS-PET SUPPLIES PLUS**

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

WHEREAS, Pet Supplies Plus has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$530.25 remains in Escrow Account #T-11-00-005-100;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$530.25 to Pet Supplies Plus, 350 Ramapo Valley Rd., Oakland, NJ 07436

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

**RESOLUTION 16-268 AUTHORIZE REFUND REDEMPTION MONIES LIEN 16-00011**

On motion of Councilman Biale, seconded by Councilman Kulmala, 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 16-00011, Block 1301, Lot 10, better known as 6 Thunderbird Drive on September 6, 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 \$4,250.12 payable to FNA NJ, LLC, 120 N. Lasalle Street, Suite 1220, Chicago, IL 60602

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$4,250.12 to the aforementioned lien holder.

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

**RESOLUTION 16-269 AUTHORIZE REFUND REDEMPTION MONIES LIEN 16-00056**

On motion of Councilman Biale, seconded by Councilman Kulmala, 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 16-00056, Block 3903, Lot 42.60, better known as C-2 East Oak Street on September 12, 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 \$14,908.54 payable to Tower Fund Services/Cust Ebury, Twr as CST for Ebury Fund 1 NJ, P. O. Box 37695, Baltimore, MD 21297

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$14,908.54 to the aforementioned lien holder.

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

**RESOLUTION 17-270 AUTHORIZE SUBMITTAL OF DDEF APPLICATION**

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

BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorizes Mayor Linda H. Schwager; Police Chief Edward Kasper; and Chief Financial Officer James Mangin to be signatories on the Drunk Driving Enforcement Fund Application to be submitted to the State of New Jersey, Department of Law & Public Safety.

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

**RESOLUTION 17-271 AUTHORIZE RETURN OF ESCROW FUNDS-PAPS LANDSCAPING**

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

WHEREAS, PAPS Landscaping has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$416.50 remains in Escrow Account #T-26-00-004-333;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional

Review Escrow funds in the amount of \$416.50 to PAPS Landscaping, 15C Iron Horse Road, Oakland, NJ 07436.

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

**RESOLUTION 17-272 AUTHORIZE RETURN OF ESCROW FUNDS-EFFECTIVE SIGN WORKS**

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

WHEREAS, Effective Sign Works has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$200.00 remains in Escrow Account #T-26-00-004-286;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$200.00 to 1208 Columbus Road, Suite F, Burlington, NJ 08016.

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

**RESOLUTION 17-273 AWARD CONTRACT FOR DEVELOPMENT OF NET WATER AVAILABILITY ANALYSIS**

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 perform a re-evaluation of the net water availability for the Borough of Oakland as a component of a complete Water Use & Conservation Management Plan in order to comply with the Highlands Regional Master Plan; and

WHEREAS, CDM Smith, 110 Fieldcrest avenue, #8, Edison, NJ 08837 has submitted a proposal dated August 16, 2017 for the work required in an amount not to exceed \$ 16,700; and

WHEREAS, CDM Smith has complied with the State'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 that funds are available in Account #G-02-09-716-001;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to sign the tri-party agreement with CDM Smith and the Highlands Council to authorize the re-evaluation of the net water availability for an amount not to exceed \$ 16,700.

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

**WORK SESSION:**

**RESOLUTION URGING LEGISLATURE TO EXTEND 2% ARBITRATION CAP:**

Mr. Kunze advised that the law establishing a 2% cap on Police and Fire arbitration awards is set to expire at the end of the year unless the Legislature and Governor extend it. The League of Municipalities is asking towns to adopt a resolution to support the extension. The consensus of the Council was to adopt a resolution at the next meeting.

**AMEND BOROUGH CODE-POLICE DEPARTMENT TABLE OF ORGANIZATION:**

Mr. Kunze advised that after Captain Haemmerle retired from the Police Department, the position of Captain was not filled. When doing the accreditation process, the ordinance was amended to remove the position from the Borough Code. The Public Safety Committee is recommending the position be reestablished to provide options. Councilman Kulmala explained that the Public Safety Committee feels this is in the best interest of the Police Department for the future. An ordinance will be introduced at the next meeting.

**RESOLUTION OPPOSING S-1045 & S-1046:**

Mr. Kunze advised that the Legislature is currently considering two bills that would directly affect municipalities by making various changes to the Open Public Meetings Act and the Open Public Records Act. There are numerous concerns regarding the effect these bills would have on local governments. Mayor Schwager would be in favor of passing a resolution. Councilman Visconti feels the Council should oppose the legislation. For example, the new legislation defines an intern and a volunteer as a public employee subject to OPRA. A resolution will be listed on the next agenda.

**HEALTH CARE PROVIDER RENEWAL:**

Mr. Kunze advised that our current agreement with the BMED expires at the end of the year. As part of the renewal process, our Risk Manager has priced various options. The proposal from IDA would cost an additional \$ 200,000 based on expected claims and there would be benefit reductions for retirees. Voza looked at the State Health Benefits Plan. That would involve mandatory changes and the cost would be \$ 80,000 to \$ 160,000 higher. Quotes were sought from insurance companies that serve the public sector and they advised they would not be able to give a competitive quote. It is most advantageous to renew our agreement with the BMED. A resolution will be listed on the next agenda.

**AWARD CONTRACT FOR ROCK SALT:**

Mr. Kunze advised that Bergen County awarded a cooperative purchasing contract for Rock Salt to Cargill. A resolution will be listed on the agenda.

**ADOPT INDOOR AIR QUALITY PROGRAM:**

Mr. Kunze advised that the New Jersey Administrative Code requires employers to have an adopted written plan dealing with air quality monitoring and compliance. We have developed a plan that needs to be adopted. Councilman Kulmala asked if there was any reason the Library was left off this list. Mr. Kunze will look into that. A resolution will be listed on the next agenda.



**ACCRUED SICK TIME PAYOUTS FOR NON-UNION STAFF:**

Mr. Kunze advised that an amendment to the salary ordinance must be done to address a Best Practices Checklist item this year. The change would be to eliminate accrued sick time payouts upon separation for non-union employees hired after adoption of the ordinance. An ordinance will be listed for introduction at the next meeting.

**COUNCIL REPORTS:**

Councilman Knapp: No report.

Councilwoman Coira: She congratulated the Green Team. Oakland has unofficially met the goal so Oakland will be recertified by Sustainable Jersey. Shade Tree Commission meets on Monday at 7 pm at Borough Hall. The Environmental Commission meets on Tuesday at 7 pm.

Councilman Visconti: The Water & Sewer Committee met Monday. We made some progress with the DEP and Highlands. We are ready to submit the Wastewater Management Plan. The CRS Program is in progress and a meeting has been scheduled for September 28<sup>th</sup>. It looks like we have a good chance to get a further reduction. The Library construction continues. The old building construction should be done in November.

Councilman Biale: The Senior Flu clinic pre-registration dates are October 12<sup>th</sup> and 26<sup>th</sup>. The Flu clinic will be held on November 2<sup>nd</sup>. The Seniors will have Bingo on October 5<sup>th</sup> at 1 pm. Once per week garbage pick up will begin next week. He advised he attended a meeting with Borough Engineer Kevin Boswell and the DEP at Trenton. Hopefully by the end of the year, we will have our Wastewater Management Plan approved. Councilman Biale recognized retired Police Captain Robert Knapp sitting in the audience.

Councilman Kulmala: There is a Public Safety Committee meeting scheduled for next week. Four additional speeding signs have been placed. They are targeting the school areas. The OCC met last week. Councilman Kulmala advised that we still have not heard about the grant on the Patriots Way Bridge.

Councilman Talamini: The Halloween Parade will be held on October 28<sup>th</sup> at 10 am and the event will be held rain or shine. The Tree and Menorah lighting ceremony will be held on December 3<sup>rd</sup> at 5 pm. Truck Day will be held at the Library on November 4<sup>th</sup>. The Public Events Committee is an amazing group of people and they are always in need of more volunteers.

Councilman Kulmala advised that several residents have received a solicitation call from someone claiming to be the Oakland Fire Department. He advised the Oakland Volunteer Fire Department will send mailers and they do not make solicitation calls. He cautioned residents when they receive calls like this.

**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.

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, Knapp, 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, Knapp, Kulmala, Talamini, Visconti.

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Visconti, the meeting be adjourned at 8:22 pm.

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

---

Lisa M. Duncan, Borough Clerk  
October 11, 2017

---

Mayor Linda H. Schwager

---

Date Approved