

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY OCTOBER 10, 2018

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Knapp, seconded by Councilman Levy, 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; Request to Purchase property
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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Discussion ensued over personnel matters and a request to purchase property on Roosevelt Blvd. No action taken.

CLOSE EXECUTIVE SESSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini. 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: 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:

The grand opening of the Library will be held Saturday October 13th at 11 am. The marijuana ordinance will be delayed one more meeting. Mayor Schwager explained we are trying to do the ordinance correctly from the beginning to protect the town from potential lawsuits. The Planning Board will discuss the ordinance tomorrow night at 7 pm. Then the Planning Board will make their recommendation to the Mayor and Council. The Mayor and Council will have the final hearing on the ordinance on October 24th. Mayor Schwager advised that a meeting was held today with representatives from the State Historic Preservation Board and the County Historic Preservation Board to discuss the Stream House.

SOFTBALL CERTIFICATES:

There were four softball travel teams that won the championship this year. This is the first time in Bergen County that four teams from the same town have won the championship. Mayor Schwager thanked the parents for their support and she thanked the volunteer coaches. Neil Malmud commented that for this special occasion, they created a special plaque to hang in the Danny D'Elia Building. Recreation Commissioner Dan Logatto thanked the Mayor and Council for having the girls. He thanked Recreation Chairman Mike Guadagnino, Mayor Schwager and Councilman Kulmala for their support, Borough Administrator Kunze and the DPW for all they do for Recreation. Certificates were handed out.

3 & 4 NATIONAL DIVISION (RECORD 15-0):

Audrey Amoruso	Jessica Bajakian	Victoria Basich	Olivia Donski
Kaitlyn Gilliland	Shannon Gilliland	Amanda Gluchanicz	Emma Gombas
Mikayla Heina	Gabby LiButti	Ashley Marscovetra	Sarah Paysour
Elizabeth Silletti	Pete Silletti, Mgr.	John Amoruso, Coach	Pete LiButti, coach
Joe Marscovetra, coach			

12U DIVISION:

Isabella Adragna	Alexa Carlson	Taylor Caruso	LeeAnn Downey
Meredith Godfrey	Ashley Horn	Samantha Lampone	Samantha Marker
Emily Morello	Christina Pisacane	Ashley Popjes	Clara Reid
Sydney Zearfaus	TJ Downey, Mgr.	Drew Caruso, coach	Rob Lampone, coach
Brian Morello, coach	Daniele Pisacane, coach	Josh Horn, coach	Rick Marker, coach

12UA AMERICAN DIVISION (RECORD 15-0):

Mikayla Amoruso	Allie Babino	Celina Brown	Natalie Christopher
Ava Dandeneau	Sofia Del Grosso	Natalie Lorenzo	Kaitlyn Marscovetra
Lugia Mayer-Costa	Alex Pearson	Neil Malmud, Mgr.	Matt Lorenzo, coach
Scott Christopher, coach			

14U DIVISION (RECORD 15-0):

Brynn Casaleggio	Meg Connor	Angela Delano	Kathleen DiFalco
Kelly DiFalco	Kaitlin Herrick	Mackenzie Horn	Haley Lenzetti
Gia White	Nina Zuidema	Neal Hirsch, Mgr.	Jason Herrick, coach
Todd Horn, coach	Kurt Zuidema, coach		

APPROVAL OF MINUTES: SEPTEMBER 26, 2018

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of September 26, 2018 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Kulmala, Levy, Pignatelli, Talamini.
Abstain, Councilman Knapp.

APPROVAL OF MINUTES: SEPTEMBER 26, 2018 EXECUTIVE

On motion of Councilman Biale, seconded by Councilman Talamini, the minutes from the Mayor and Council Executive Session of September 26, 2018 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Kulmala, Levy, Pignatelli, Talamini.
Abstain, Councilman Knapp.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Jeff Smyrychynski, 90 Skyline Drive, complained about his neighbor illegally dumping on his property. Mr. Smyrychynski has complained to the zoning officer, DEP, and EPA. This needs to be enforced by the zoning officer. The neighbor has been dumping in the stream. Mayor Schwager asked Mr. Smyrychynski if he as filed a trespassing charge against his neighbor. Councilman Kulmala asked when he first made contact with the Borough. Mr. Smyrychynski responded he had not filed trespassing charges and he contacted the Borough in April 2015. Mayor Schwager asked the Borough Administrator and the Borough Engineer to follow up with the zoning officer.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

APPROVE RAFFLE LICENSE RL1343

On motion of Councilman Biale, seconded by Councilman Pignatelli, approval be granted for Raffle License RL1343 for Midland Park Elementary School to hold an on-premise 50/50 raffle on October 20, 2018 at Holiday Bowl, 29 Spruce Street.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

APPROVE SIGN REQUEST:

On motion of Councilman Pignatelli, seconded by Councilman Levy, approval be granted for the Community of Commerce to place a sign at Bush Plaza to advertise the Toys for Tots event to be held December 1, 2018.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

P.S.E. & G. REQUEST TO WORK SATURDAY

P.S.E. & G. is asking permission to work from 7 am to 5 pm on Saturday November 10th to get paving done on Ramapo Valley Road where they did the gas main project. They are asking for permission for Saturday November 17th as a raindate. Councilman Knapp asked if the paving will be curb to curb. Borough Engineer Yakimik responded it will be and that Tilcon will be doing the work.

MOTION:

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted for P.S.E. & G. to work from 7 am to 5 pm on Saturday November 10th (raindate Saturday November 17th) for the paving project.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mr. Kunze advised that the Borough is scheduled to repave three roads in the Ramapo River Reserve. The contractor may need to work on Saturday October 27th to get the project done before Halloween.

RESOLUTION 18-312 AUTHORIZE VEHICLE AUCTION

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

WHEREAS, pursuant to the provisions of NJSA 40A:11-36, the Borough of Oakland may sell any personal property; and

WHEREAS, the Mayor and Council of the Borough of Oakland have determined that the property listed in this resolution is no longer needed for public use and wishes to divest said property,

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

1. The sale of the surplus property shall be conducted online using Municibid (www.municibid.com) pursuant to New Jersey Local Finance Notice 2008-9. Terms of the agreement are available on the vendor's website and available in the Borough Clerk's Office.
2. The surplus property to be sold is as follows:

YEAR	MAKE / MODEL	VIN #	PLATE #	TAG #
1981	International Box Truck	TAA1859BHA19258		
1999	BMW Motorcycle	WB10418A6XZC65132		
1999	BMW Motorcycle	WB10418A0XZC65112		
2003	Mitsubishi Dump Truck	JW6AGE1HX3L001998		

3. The surplus property as identified shall be sold in 'as is' condition without express or implied warranties.
4. In accordance with NJSA 39:10-9.1, the certificates of ownership for former police vehicles shall state that the motor vehicles were used as police patrol vehicles and notice is provided that the buyer shall continue to so state on each subsequent sale or transfer
5. The successful bidder will be required to pay in cash or certified check made out to the Borough of Oakland at the time of pick up of the vehicle. The Borough will not deliver the vehicle to the successful bidder.
6. The vehicle is to be transferred and taken off the site within 10 business days after approval of the sale by the Governing Body.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-313 AUTHORIZE REFUND TAXES 100 BAUER DRIVE

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

WHEREAS, a Tax Court Judgment was entered, in the matter of Bauer Drive LLC v. Borough of Oakland, setting the assessment of Block 3204, Lot 2 to the following;

Docket 010476-2012	Year 2012	\$ 3,000,000.00	\$ 15,078.61 refund
Docket 001281-2014	Year 2014	\$ 3,000,000.00	\$ 15,579.94 refund
Docket 001445-2015	Year 2015	\$ 3,000,000.00	\$ 15,908.02 refund
Docket 001884-2016	Year 2016	\$ 3,400,000.00	\$ 5,350.24 refund
Docket 000290-2017	Year 2017	\$ 3,400,000.00	\$ 5,499.73 refund

WHEREAS, the total refund of the property taxes is now due to Bauer Drive LLC in the amount of \$ 57,416.54;

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 Daniel G. Keough, Trustee, attorney for Bauer Drive LLC, 783 Springfield Avenue, Summit, NJ in the amount of \$5 7,416.44.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-315 AUTHORIZE GRANT AGREEMENT

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$66,000.00 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled Great Oak Park Driveway Refurbishment, in the Borough of Oakland;

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize Mayor Linda H. Schwager to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 1, 2020; and

BE IT FURTHER RESOLVED that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirement.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-316 AUTHORIZE RECREATION REFUND

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 TGA Cheer Camp and regular Cheer Registration Fee and Softball Fees in the total amount of \$ 365.00; 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:

Heather Bellizzi, 62 Monhegan Ave, Oakland, NJ 07436 refund due \$255.00
Julie-Anne Mathews, 26 Mohawk Ave, Oakland, NJ 07436 refund due \$110.00

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-317 AUTHORIZE RFQ'S FOR PROFESSIONALS

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

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said municipality's political parties or to any candidate's committee of any person serving in an elective public office of the said municipality when such contract was awarded, unless said business entity is awarded a contract under a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the "RFQ") with ten (10) calendar days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Oakland (hereinafter the "Borough") to engage legal, financial and engineering professionals and the Borough desires to appoint such professionals for 2018 by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq. and in accordance with the Borough's Pay To Play Ordinance, Ordinance No. 12-Code-669.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Oakland, County of Bergen and State of New Jersey that requests for RFQs for professional services for the following professional services for the Borough and its agencies are hereby authorized:

1. Borough Attorney
2. Labor Attorney
3. Borough Auditor
4. Bond Counsel
5. Borough Engineer
6. Borough Prosecutor
7. Public Defender
8. Planning Board Attorney
9. Board of Adjustment Attorney
10. Borough Risk Manager
11. Borough Planner
12. Water and Sewer Engineer

13. Planning Board Engineer
14. Planning Board Planner
15. Board of Adjustment Engineer
16. Board of Adjustment Planner

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all such RFQs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough or Borough Agency; (4) and any other factors if demonstrated to be in the best interest of the Borough or Borough Agency.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-318 AUTHORIZE CONTRACT FOR ROCK SALT

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 a contract, 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 8-01-26-306-058 and from appropriation in the 2019 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 Rock Salt, awarded to Cargill, Inc.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-319 CHAPTER 159 BULLETPROOF VEST GRANT

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of

any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Oakland has received notification of a grant award of \$6195.00 from the Bureau of Justice Assistance (BJA) Fiscal Year (FY) 2018 Bulletproof Vest Partnership (BVP), and wishes to amend its 2018 budget to include this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oakland hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written

Consent of Director of Local Government Services - Public and

Private Revenues Offset with Appropriations:

The Bureau of Justice Assistance (BJA) Fiscal Year 2018 Bulletproof Vest Partnership (BVP).

BE IT FURTHER RESOLVED that a like sum of \$6195.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Appropriations Offset by Revenues:

The Bureau of Justice Assistance (BJA) Fiscal Year 2018 Bulletproof Vest Partnership (BVP).

Other Expenses - \$ 6195.00

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-320 ACCRUED TIME PAYOUT-E. VON LINDERN

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

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Edward Von Lindern for sick, vacation, personal and compensatory time accumulated in the amount of \$ 5,964.48; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 5,964.48 composed of 57.75 hours of vacation time, 167.75 hours of sick time, and 0 hours of personal time and 0 compensatory time be paid out to Edward Von Lindern. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-321 AUTHORIZE PURCHASE OF POLICE VEHICLES

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

WHEREAS, the Borough of Oakland is in need of purchasing two (2) 2019 Chevy Tahoe 4-Wheel Drive vehicles; and

WHEREAS, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 has Cranford Police Cooperative Pricing Contract #ESCNJ-17/18-44 for the vehicles as per the specifications desired; and

WHEREAS, the cost for each vehicle is \$37,749.00 with the desired options ; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-762-512;

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 Mall Chevrolet, Cherry Hill, NJ for the purchase of two (2) 2019 Chevrolet Tahoe vehicles at a total cost of \$75,498.00.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-322 AWARD CONTRACT-BOUNDARY & TOPOGRAPHIC SURVEY

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

WHEREAS, there is a need to obtain a Boundary & Topographic Survey at the Fire House No. 1, located at 25 Yawpo Avenue, Block 3902, Lot 3 for the project to construct a garage; and

WHEREAS, Boswell Engineering has submitted a proposal dated July 24, 2018 for the work required in an amount not to exceed \$7,125.00; and

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

WHEREAS, the award of 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 # C-04-56-761-100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the Boundary & Topographic Survey for Fire House No. 1 as specified in their Proposal dated July 24, 2018 in an amount not to exceed \$ 7,125.00; and

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-323 HIRE SEASONAL SNOW PLOW OPERATORS

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 of \$31.00 per hour;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby authorize the hiring of the following seasonal snow plow employees for the Department of Public Works effective October 15, 2018:

Dave Hutsebaut
Jeffrey Pereira
Nikolais Filingeri
Michelle Kapturkiewicz
Nicholas Marcheso

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 18-324 HIRE INFORMATION TECHNOLOGY TECHNICIAN

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

WHEREAS, there is a need to hire an Information Technology Technician; and

WHEREAS, the Borough Council believes such action to be in the best interest of the Borough;

NOW, THEREFORE, BE IT RESOLVED that the Borough does hereby hire Vincent Dies as an Information Technology Technician effective Thursday October 25, 2018 at an annual salary of \$ 70,000.

ROLL CALL: Yeas, Councilmembers Biale, Levy, Pignatelli, Talamini.
Abstain, Councilmembers Knapp, Kulmala.

FINAL PUBLIC HEARING: ORDINANCE NO. 18-CODE-767 –TABLED
MOTION TO TABLE:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the final public hearing and adoption of Ordinance 18-Code-767 be tabled to the meeting of October 24th.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

WORK SESSION:

CAPITAL PURCHASE ORDINANCE:

Mr. Kunze explained this would be a fully-funded ordinance for a variety of capital items for the water utility. The total amount of the ordinance will be \$ 205,000 and it will be funded from Capital surplus. The ordinance will be introduced on October 24th

BOND ORDINANCE:

Mr. Kunze explained that this is the first funding step necessary for decommissioning the sewer package treatment plants. This funding would cover the engineering for the plan and design to decommission the plants and convert them to pump stations. It covers permit fees as well. The amount of the ordinance is \$ 300,000 and it will be introduced on October 24th.

SUPPORT FOR SPEED LIMIT FOR RAMAPO VALLEY ROAD:

Borough Engineer Yakimik advised that the Borough received a request from the DOT to support the speed limit of 35 miles per hour from Franklin Avenue to the railroad. They are requesting the Borough to endorse the posted speed. Mr. Yakimik spoke to Traffic Officer Frank Fiore and former Bergen County Engineer Gary Ascolese. They both feel that 30 miles per hour would be a more appropriate speed limit in that zone since it is the entrance to the Central Business District, there are driveways and there is a blind curve. Councilman Pignatelli asked if that 30 mile per hour speed limit could be extended north on Ramapo Valley Road to Navajo Way since the cars go way faster than the current speed limit. Mr. Yakimik responded that is a County road. There is a process to work with the County to lower the speed limit and he can start that discussion with the County. Councilman Pignatelli commented that when he called the State, he was told they did traffic studies and that 85% of the people do at least 35 miles per hour on that stretch. The State said they can't make the speed limit lower. Mr. Yakimik advised that he wants to see and analyze the studies. He thinks the numbers are skewed because there is a higher speed limit on Ramapo Valley Road leading up to the light at Franklin.

Councilman Knapp questioned why the State started looking at the speed limit. Councilman Levy commented that when he was looking at the redesign for a bypass road, he requested an accident study for the intersection by Ramapo Valley Road and West Oakland Avenue. There are 5 times the number of accidents at that intersection. He questioned if that was enough reason to get the DOT to lower the speed limit. Mr. Yakimik responded that it would be if the accidents were a result of speed. Councilman Knapp asked what the speed limit is south of the railroad tracks. Mr. Yakimik responded the speed limit increases to 40 miles per hour. Councilman Knapp responded the 30 mile per hour speed limit should carry all the way down to Oak Street for consistency. Councilman Kulmala asked if his understanding was correct that Mr. Yakimik was going to go back to the DOT and advise that the Mayor and Council reject the higher speed

limit. He asked if this will be brought back to the Council. Mr. Yakimik responded it would. Councilman Pigntaelli asked Mr. Yakimik to go to the County to reduce the speed limit on Ramapo Valley near his house.

NEW BUSINESS:

Councilman Levy advised that he is working on an alternate access to the downtown. The State DOT is willing to talk about a second railroad crossing. In order to facilitate this process, Councilman Levy asked Borough Engineer Yakimik to submit a letter requesting a diagnostic team meeting. He is asking the Council for authorization to send the letter. Councilman Kulmala asked if any fees have been incurred. Councilman Levy responded that Boswell has kept the costs to the retainer.

Councilman Knapp asked for an update on the repair on 287. Borough Engineer Yakimik advised he has two calls in to the DOT to follow up on the Borough's concerns over the dip in 287 as well as other issues of concern. Traffic Office Fiore had advised that the DOT patched a section of 287 where the dip is but we are not sure they patched the correct spot. Councilman Knapp advised that there are potholes on 287 south from Franklin Lakes. They are a safety issue and should be repaired quickly. Mr. Yakimik will speak to the DOT tomorrow on this issue as well as the gabion trench.

Councilman Levy advised that the mussel survey will be done tomorrow. We will have the scope of work for the river project from the DEP in two months.

Councilman Kulmala asked for an update on Patriots Way Bridge. Mr. Yakimik responded that the plans and specifications were submitted to the NJDOT today. Their review period is 30 days. He anticipates their comments to be minimal. Councilman Kulmala asked about the bids for demolition of the Roosevelt houses and the renovations of Recreation bathrooms. Mr. Kunze responded that the bids will go out this month.

Mayor Schwager commented that she has requested a meeting with the residents of Ramapo River Reserve and has been denied by their attorney.

Councilman Levy asked if the study on the Sandy Beach property has been completed. Mr. Yakimik responded it will be complete within a week.

Councilman Kulmala requested a line item for Old Business to be listed on each agenda.

COUNCIL REPORTS:

Councilman Talamini: The Administration Committee met to talk about pending retirements in the Building Department. There was a meeting with the School Board to discuss a School Resource Officer in the schools. Public Events will provide refreshments for the Library Grand Opening on October 13th. On October 14th from 12 to 4, the Mothers Club will sponsor pumpkin painting from 12 to 4 pm at the Danny D'Elia Building. The Halloween Parade will take place on October 27th. That is always a fun event. The Public Events Committee needs new members.

Councilman Kulmala: The official ribbon cutting for the Library will be held on October 13th. He advised that the wall between the Library and Vets Park has been removed and the DPW will be planting grass. The OCC needs new members. The Water & Sewer Committee is looking to schedule a meeting the first week in November.

Councilman Biale: The Seniors will hold Bingo on October 18th at 1 pm. There will be a pizza party and Jeopardy on October 24th. A Doo-wop show will be held November 1st. The DPW will finish fire hydrant flushing by the end of October. They have already replaced 15 hydrants which were at the end of their useful life. The DPW will be exercising the valves on Ramapo Valley Road on or about October 22nd. The Engineer has located and identified about 1/3 of the valves for the GIS mapping. The DPW is awaiting the arrival of three new pick-up trucks with plows. Delivery will be in December. The Road improvements project will begin October 17th. We had a meeting with SHPBO today and we went over our concerns with the Stream House. It is registered as a historic site. The Borough will need to make an application in order to present our case to dismantle the Stream House. We need to have a structural engineer review the site. The results have to be reviewed by the Historic Sites Council. The Borough wants to do what is proper in order to stay in the State's "good graces". Councilman Biale advised that the representatives from SHPBO were taken to the Stream House. He commented that everyone was dismayed at the dilapidation of the structure. There is a possibility that the Borough can take the Stream House down if we present a good case. This was a good meeting and positive steps were taken.

Councilman Pignatelli asked if the Borough is going to have to pay for the structural engineer to review. Councilman Biale responded that we will. Councilman Pignatelli asked how the Stream House got on the historic registry. Councilman Biale responded that Councilwoman Stagg had it put on the registry years ago. Mayor Schwager stated that the State does not want a replica building put up with modern materials. Councilman Pignatelli does not understand why that building is considered historic. Mayor Schwager responded that the foundation was built on the stream so that is what is considered historic. Councilman Kulmala stated that Margaret Hickey made a presentation stating that the Stream House building is not salvageable. He asked if her report would carry weight with SHPBO. He questioned why we need an engineer's report if we already have Margaret Hickey's report. Councilman Biale responded that Ms. Hickey is an architect. We need to have a report from a historical structural engineer. He congratulated Ms. Hickey on making the first step with the State. Councilman Kulmala asked the timeline. Mayor Schwager advised we will file an application and get approval within a year. Councilman Pignatelli advised he has an issue with Margaret Hickey's report. At first, she said it would cost \$800,000 for a historic rebuild and now she is saying it will cost \$ 1.2 million for a replica. Councilman Biale brought that up to the representatives from the State. We can pare down the project to bring down the costs. Councilman Kulmala asked if the Building Inspector can condemn the building. Mr. Kunze responded that we still need approval from the State to take the building down.

Councilman Pignatelli: The Environmental Commission met on October 2nd. The junior member gave an update on the website she is producing on sustainability. There was an update given on the Potash Lake naming and an update on Great Oak Park. Carol Petersen gave an update on the Green Team. The Borough is going to be purchasing a pallet of composting drums which will be available for residents to purchase. Councilman Pignatelli advised that 80,000 people died last year from the flu. This is a serious illness. The First Aid Squad will hold a coin toss on Saturday and Sunday. There was an article in The Record on Monday October 8th about a study done on the effects of pot on the teenage brain.

Councilman Levy: The Flood Commission did not have a quorum to meet. They need two new members. The Army Corps of Engineers gave a report on the status of the flood project. There will be a meeting tomorrow at 2 pm to discuss the maintenance that needs to be done by the Borough. The Planning Board will discuss the marijuana ordinance tomorrow night at the Senior Center at 7 pm. The Shade Tree Commission is working on getting a set arborist.

Councilman Knapp: The Fire Department held Fire Prevention Night on Monday. It was very successful. He gave a shout out to the First Aid Squad and the Police Department for teaming up with the Fire Department for Fire Prevention Night. Councilman Knapp advised that we are looking for a landscape company to clear debris on the Great Lawn and to till and seed the Great Lawn.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

BILLS TO BE PAID:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Biale, 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:

Negotiations-Sewers

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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mayor Schwager left the meeting.

Discussion ensued over negotiations over sewers.

CLOSE EXECUTIVE SESSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RECONVENE PUBLIC MEETING:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the regular meeting be reconvened.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the meeting be adjourned at 10:18 pm.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Lisa M. Duncan, Borough Clerk
October 24, 2018

Mayor Linda H. Schwager

Date Approved