

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY NOVEMBER 7, 2018

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. Absent: Councilman Talamini. 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.

---

Councilman Talamini entered the meeting at 7:31 pm.

MAYOR'S REPORT:

Mayor Schwager attended the AAA Luncheon. Oakland was given the Award of Excellence for the second year. She congratulated Traffic Officer Frank Fiore. Mayor Schwager advised that on Monday November 12<sup>th</sup> at 7 pm at the Valley Middle School, there will be a meeting regarding the Patriot's Way Bridge. The Patriot's Way Bridge is temporarily closed for safety reasons. Mayor Schwager advised that paving on Ramapo Valley Road will be done on November 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> assuming that there is no rain. The Veteran's Day ceremony will take place on Sunday at Vet's Park at 10:45 am. Mayor Schwager advised that she is officially disbanding the Station Park Committee. She thanked everyone for their service. She advised that we are lucky in Oakland to have so many volunteers. Oakland has a wonderful Recreation Commission. She asked residents to be respectful of our Recreation Commission members. These are volunteers that should not take abuse. Mayor Schwager congratulated Councilman Biale and Councilman Levy for their election wins. Mayor Schwager advised that the November 20<sup>th</sup> Council meeting is being canceled. The next meeting will be held December 5<sup>th</sup>.

OPENED FOR PUBLIC DISCUSSION:

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

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

Jeff Smyrchinski, 90 Skyline Drive, advised once again that his neighbor is illegally dumping on his property and is diverting water. Mr. Kunze advised that the Building Department went out to inspect and made a report. Mr. Smyrchinski advised that the Zoning Officer said that matter should be left to the DEP. The neighbor has blatantly diverted water. Mr. Kunze commented that the report from the Zoning Officer said there was no debris. Mr. Smyrchinski advised that a pond

has been removed, trees have died and there are tires on his property. He stated that summonses need to be issued. Mr. Kunze advised that he and the Borough Engineer will follow up with the Construction Official on this matter.

Mike Guadagnino, 34 Hopper Street, Recreation Chairman, he thanked the Mayor for the kind words about the Recreation Commission. This is a great group of people who work very hard. He congratulated Councilman Biale and Councilman Levy as well as Councilman Kulmala who ran a good, honest campaign.

**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.

**APPROVAL OF MINUTES: OCTOBER 24, 2018**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of October 24, 2018 be approved.

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

**APPROVAL OF MINUTES: OCTOBER 24, 2018 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of October 24, 2018 be approved.

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

**APPROVE RAFFLE LICENSE RL1345**

On motion of Councilman Biale, seconded by Councilman Pignatelli, approval be granted to Raffle License RL1345 for Indian Hills High School Parent Athletic Committee to hold an off-premise raffle for merchandise on December 21, 2018 at Indian Hills High School, 97 Yawpo Avenue.

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

**APPOINTMENT TO RECREATION COMMISSION:**

Mayor Schwager advised that Recreation Commissioner Jackie Cronin resigned. Mayor Schwager appointed Sandra Coira to fill the unexpired term on the Recreation Commission. The term will expire December 31, 2020.

**RESOLUTION 18-336 AUTHORIZE ASSIGNMENT OF LEASE**

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 has been leasing a radio broadcasting tower to Universal Broadcasting of New York, Inc. (hereinafter, "Universal") since on or about 1990, by written lease, which has been amended and extended many times since its inception; and

WHEREAS, the current term extends to September 30, 2029, with two additional five year options thereafter; and

WHEREAS, the Borough has been provided with an Asset Purchase Agreement between Universal Broadcasting of New York, Inc., and Immaculate Heart Media, Inc., (hereinafter, "Immaculate Heart") which calls for the conveyance of any and all rights to the Borough's lease; and

WHEREAS, the lease with Universal provides that the lease may be assigned, and that the Borough would not unreasonably withhold its consent to any such assignment; and

WHEREAS, Universal as seller and Immaculate Heart, as purchaser, and as proposed assignee, have requested the assignment of the Borough's lease to Immaculate Heart; and

WHEREAS, Immaculate Heart has provided independent auditor's financial reports; and

WHEREAS, the Borough has obtained statements from current landlords of Immaculate Heart; and

WHEREAS, the Borough has satisfied itself that Immaculate Heart, as assignee, has assets and net worth that are well in excess of those controlled by Universal; and

WHEREAS, the assignment of the lease is in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Borough of Oakland does hereby consent to the assignment of its broadcasting tower lease from Universal Broadcasting of New York, Inc., to Immaculate Heart Media, Inc., upon the same terms and conditions that currently exist; and

BE IT FURTHER RESOLVED that the Mayor be and she is hereby authorized and directed to execute the attached Estoppel Certificate and Consent, which memorializes the Borough's consent, and the as well as the Assignment and Assumption Agreement of the lease from Universal to Immaculate Heart.

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

#### RESOLUTION 18-337 AUTHORIZE MUNICIPAL ALLIANCE GRANT APPLICATION

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Oakland, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for the Oakland Municipal Alliance grant for fiscal year 2020 in the amount of  
DEDR \$ 9,876.00.  
Cash Match \$ 2,469.00  
In-Kind \$ 7,407.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

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

#### RESOLUTION 18-338 AUTHORIZE HIRE-KEVIN TIRSERIO

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 Administrator and Superintendent of Public Works recommend that Kevin Tirserio be hired at the Department of Public Works; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough does hereby hire Kevin Tirserio as a Supervising Public Works Repairer in the Department of Public Works effective Monday, December 3, 2018 at an annual salary of \$ 71,818.

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

#### RESOLUTION 18-339 AUTHORIZE CDBG GRANT AGREEMENT-SENIOR CENTER IMPROVEMENTS

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 wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$ 69,335 in 2018-2019 for Senior Center Improvements; and

BE IT FURTHER that the Mayor and Council hereby authorizes Mayor Linda H. Schwager to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Borough Administrator Richard S. Kunze to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the Borough of Oakland is liable for any funds not spent in accordance with the Grant Agreement and that liability of the Mayor and council is in accordance with HUD requirements

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

#### RESOLUTION 18-340 AUTHORIZE AGREEMENT-SANITARY SEWER CLEANING

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

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

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

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

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA the sum of 51 cents (\$.51) per linear foot in 2019 and the sum of 52 cents (\$.52) per linear foot in 2020, and an equipment charge of \$500 per day, for such services, and

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

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

#### RESOLUTION 18-341 AUTHORIZE AGREEMENT-TV INSPECTION

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

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

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

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

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

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA the sum of 83 cents (\$.83) per linear foot in 2019 and the sum of 84 cents (\$.84) per linear foot in 2020, and a minimum charge of \$400 per each day of inspection, for such services, and

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

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

#### RESOLUTION 18-342 AWARD AUCTION BIDS

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 previously authorized the sale of surplus vehicles via online public auction; and

WHEREAS, said auction took place and the Governing Body now wishes to approve the winning bids.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the winning bids and amounts thereof are hereby approved for the following:

Vehicle	Winning Bidder	Winning Bid
2003 Mitsubishi FG-40	Sal Zucaro	\$ 9,600
1999 BMW (Listing 18837886)	Chris Walker	\$ 2,050
1999 BMW (Listing 18837432)	Robert Choate	\$ 2,038
1981 International 1954	TJ Star	\$ 2,859

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

#### RESOLUTION 18-343 BUDGET TRANSFER RESOLUTION

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 Calendar Year 2018 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Calendar Year 2018 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 CalendarYear 2018 Current Fund budget:

<u>Current Fund</u>		From	To
8-01-23-220-001	Insurance – Group Medical	\$ 10,000.00	
8-07-55-501-028	Sewer – Contracted Services	\$ 9,000.00	
8-05-55-504-400	Water - Gasoline	\$ 7,500.00	
Sub-total		\$ 26,500.00	
8-01-26-310-026	Bldg & Gr Repairs and Maint		\$ 10,000.00
8-07-55-504-100	Sewer – Electricity		\$ 9,000.00
8-05-55-504-100	Water – Electricity		\$ 7,500.00
Sub-total			\$ 26,500.00

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

#### RESOLUTION 18-344 AUTHORIZE AGREEMENT-SLUDGE DISPOSAL

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 for the Borough of Oakland to dispose of sludge from the wastewater treatment plants; and

WHEREAS, the Northwest Bergen County Utilities Authority (NBCUA) has submitted a proposal to accept disposal of the sludge; and

WHEREAS, the proposal has been reviewed and recommended by the Superintendent of Public Works; and

WHEREAS, the Borough Attorney has reviewed the Shared Service Agreement provided to the Borough by the NBCUA;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Borough of Oakland is hereby authorized and directed to execute the 2019 Shared Service Agreement for Sludge Disposal; and

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA for following rates:

- A. For sludge with a maximum of 2.6% solids, \$35.00 per 1,000 gallons;
- B. For sludge with a minimum of >2.6% and maximum of 4% solids, \$54.00 per 1.000 gallons;

- C. For sludge with a minimum of >4% solids and a maximum of 8% solids, \$72.50 per 1,000 gallons;
- D. For sludge with solids of >8%, \$95.00 per 1,000 gallons.

BE IT FURTHER RESOLVED that a copy of the Resolution and Agreement with NCBUA shall be maintained in the Borough Clerk's office.

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

**INTRODUCTION: ORDINANCE NO. 18-CODE-776 AMEND SALARY ORDINANCE**

The Clerk was directed to take from table Ordinance No. 18-Code-776 and read by title for its first reading.

The Clerk then read by title Ordinance No. 18-Code-776 entitled: " AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPH 8 AND PARAGRAPH 15 OF ORDINANCE NO-18-CODE-766 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Amending And Reenacting Paragraph 8 And Paragraph 15 Of Ordinance No-18-Code-766 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", be introduced;

That said Ordinance be considered for final adoption at a meeting on December 5, 2018 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 November 12, 2018 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**INTRODUCTION: ORDINANCE NO. 18-CODE-777 AMEND ACCESSORY STRUCTURE ORDINANCE**

The Clerk was directed to take from table Ordinance No. 18-Code-777 and read by title for its first reading.

The Clerk then read by title Ordinance No. 18-Code-777 entitled: " AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING" SECTION 44 TO DEFINE "ACCESSORY STRUCTURE."



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

BE IT RESOLVED that an Ordinance entitled, " An Ordinance To Amend, Supplement And Revise The Code Of The Borough Of Oakland, Land Use, Chapter 59 Entitled "Land Use And Zoning" Section 44 To Define "Accessory Structure.", be introduced;

That said Ordinance be considered for final adoption at a meeting on December 5, 2018 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 November 12, 2018 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**FINAL PUBLIC HEARING: ORDINANCE NO. 18-BOND-774**

The Clerk was directed to take from the table Ordinance No.18-Bond-774 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 VARIOUS WATER SYSTEM UPGRADES IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$205,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

On motion of Councilman Biale, seconded by Councilman Knapp, 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 Various Water System Upgrades In, By And For The Water Utility Of The Borough, Appropriating Therefor The Sum Of \$205,000 And Providing That Such Sum So Appropriated Shall Be Raised From The Water Utility Capital Improvement 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**FINAL PUBLIC HEARING: ORDINANCE NO. 18-BOND-775**

The Clerk was directed to take from the table Ordinance No. 18-Bond-775 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "BOND ORDINANCE TO AUTHORIZE THE ENGINEERING PHASES OF THE DECOMMISSIONING AND CONVERSION OF VARIOUS SANITARY SEWER TREATMENT PLANTS TO PUMP STATIONS AND THE CONSTRUCTION OF FORCE MAINS TO CONNECT TO THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY TREATMENT SYSTEM IN, BY AND FOR THE SEWER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, this portion of the meeting be open 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 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.

On motion of Councilman Pignatelli, 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, "Bond Ordinance To Authorize The Engineering Phases Of The Decommissioning And Conversion Of Various Sanitary Sewer Treatment Plants To Pump Stations And The Construction Of Force Mains To Connect To The Northwest Bergen County Utilities Authority Treatment System In, By And For The Sewer Utility Of The Borough Of Oakland, In The County Of Bergen, State

Of New Jersey, To Appropriate The Sum Of \$300,000 To Pay The Cost Thereof, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds”., 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, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### WORK SESSION:

##### RECREATION FEE ORDINANCE:

Mr. Kunze advised that as part of their 2019 budget proposal, Recreation submits a schedule of fees. The Recreation Commission has requested a couple of minor fee adjustments. The fee for the Roller Hockey program would be increased by \$5 to partially offset declining enrollment while the 3-4<sup>th</sup> grade Softball program fee would be reduced by \$6 due to lower costs. They are trying to get this adopted by the end of the year. Recreation Commission Chairman Mike Guadagnino advised that the Roller Hockey program has seen declining enrollment. Wyckoff has graciously let Oakland participate in their program and use their rink. Mr. Guadagnino advised that the Borough is working hard to get grants to fix the Roller Hockey rink.

Councilman Kulmala commented that it is nice to see that the new programs started last year are continuing. This Recreation Commission works very hard for the children and they deserve respect.

##### BEST PRACTICES INVENTORY:

Mr. Kunze explained that the number of questions on this year's Best Practices Inventory has expanded from 25 questions to 61 questions. There has been considerable discussion amongst the Administrators and CFO's on some of the questions on the list. The State said it will revise the list next year. Our overall score is 85% and we will not suffer loss of State Aid.

##### WATER AND SEWER RATES:

Mr. Kunze explained that water and sewer rates were last amended four years ago. The new requirements for the Water Quality Accountability Act has increased costs in the water utility. We are trying to transform our sewer utility so that will require an increase. The utilities must be self-liquidating. Based on the analysis done by our CFO, the increase will generate an extra \$56,000 for the water utility and \$ 8,700 for the sewer utility. If we did not do this increase, there is the potential the utilities would not be self-liquidating. The ordinances will be listed for introduction on December 5<sup>th</sup>.

##### AMEND TOWING ORDINANCE:

Mr. Kunze advised that our towing ordinance was last amended in 2010. The Police Department is recommending we update the fees that licensed tow companies can charge to remain competitive with surrounding towns such as Mahwah, Franklin Lakes and Wyckoff.

Mr. Chewcaskie advised that there was a court case in June regarding municipal towing. He advised that a non-consensual tow can only have one charge. It has to conform to the Predatory Towing Act. This ordinance needs to be clarified because it needs to have two categories-one for non-consensual and one for when a vehicle owner requests. Mr. Chewcaskie will discuss this

with Captain Sanzari. Mayor Schwager commented that there is a big jump in the rate. Councilman Levy asked if we are better off doing a smaller increase and reviewing it more often. Mr. Chewcaskie advised that the non-consensual towing would be the basic service charge. The amounts proposed won't be objectionable.

#### NEW BUSINESS:

Mr. Kunze advised that the CDBG grant application is due December 7<sup>th</sup> so a resolution to endorse the application will be listed on the December 5<sup>th</sup> agenda.

#### OLD BUSINESS:

Councilman Kulmala asked for an update on the Recreation bathrooms. Mr. Kunze responded that the architect will have the specifications done next week and then the bid can go out. Councilman Pignatelli asked about the homes on Roosevelt. Mr. Kunze responded that the bid should go out next week. He explained that the Borough has closed on eight properties and the bid will include all eight properties. We should close on another 2 or 3 properties before the end of the year. Councilman Pignatelli asked if the properties will be abated for rodents before demolition. Mr. Kunze responded that is in the scope of the bid.

Mayor Schwager asked about the grant for the Fire Department. Councilman Levy advised that we applied for a grant for the fire truck. Congressman Gottheimer wants to submit a letter of support. Councilman Kulmala advised that Capital Alternatives has been in contact with the Congressman's office.

#### COUNCIL REPORTS:

Councilman Talamini: He congratulated Councilman Biale and Councilman Levy on their Election victory. He thanked everyone who puts the time in to serve on the Governing Body because it is a tough job. He also congratulated Councilman Kulmala who ran a good race. The Public Events Committee held the Halloween event indoors due to the weather. Mayor Schwager commented that the Committee did a great job holding the event indoors. Councilman Talamini commented that they were even able to put the maze indoors. Everyone had fun. The car owners still came and handed out candy even though they were not able to do the trunk or treat. It was a great event. The Public Events Committee needs members. The Tree lighting will be held on December 2<sup>nd</sup> at 5 pm. The schools are closed Thursday and Friday.

Councilman Kulmala: The football and cheerleading season has ended. Soccer season ends next week. Recreation is currently holding sign ups for roller hockey and wrestling. The Borough is working hard on the grant application for the Roller Hockey rink. There will be a public hearing on the grant application on December 5<sup>th</sup>. The OCC has done improvements to the tv control room. They are working on a new logo for the tv committee. The OCC is working on their budget paperwork. The OCC needs pictures of the town for Channel 77. The list of punch items at the Library is currently being worked on. He congratulated Councilman Levy and Councilman Biale on their win.

Councilman Biale: He thanked residents for their vote on Election Day. He will represent the town to the best of his ability. He congratulated Councilman Levy. He thanked Councilman Kulmala for stepping up to the plate to run for Freeholder and doing a good job representing Oakland. The Seniors will hold bingo on November 15<sup>th</sup> at 1 pm and movie day on November 29<sup>th</sup> at 1 pm. The Seniors will have a presentation by Merrill Lynch on December 5<sup>th</sup> at 1 pm. Bergen County will be issuing Golden Discount cards on December 7<sup>th</sup>. The DPW is inspecting 2240 storm drains. Each basin will be examined. The maintenance garage is testing snow and ice equipment. Leaves will be collected in biodegradable bags or containers. He asked residents

to please clear leaves from storm drains. The fire hydrant flushing is completed. The Water Department is inspecting the valves. The Water & Sewer Committee held a meeting last week. The Borough is continuing to discuss the agreement with NWBCUA.

Councilman Pignatelli: He congratulated Councilman Levy and Councilman Biale on their win. The Environmental Commission will meet next week. The Board of Health meets in two weeks. Regarding Finance, the Departments have been submitting their budget requests.

Councilman Levy: He congratulated Councilman Biale. He thanked Councilman Kulmala who, even during a busy campaign, was working hard on getting grants for the Borough. The Flood Commission will meet Monday at 7:30 pm. They are looking for two new members. The Shade Tree Commission spoke about the diseased ash trees. There are 50 to 60 diseased trees along Route 202. The county will provide funding to take the trees down. The Shade Tree Commission has been speaking to arborists.

Councilman Knapp: He congratulated Councilman Biale and Levy and gave kudos to Councilman Kulmala. He commented that the town looked nice this year since it was not flooded with campaign signs.

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Levy, 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 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.

**BILLS TO BE PAID:**

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

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the meeting be adjourned at 8:40 pm.

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

---

Lisa M. Duncan, Borough Clerk  
December 5, 2018

---

Mayor Linda H. Schwager

---

Date Approved