

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY DECEMBER 19, 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, Talamini. Absent: Councilman Pignatelli. Also Present: Lisa M. Duncan, Borough Clerk; Michael Carelli, Assistant to the Administrator; David Young, CFO.

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.

MOTION TO EXCUSE ABSENCE:

On motion of Councilman Kulmala, seconded by Councilman Levy, the absence of Councilman Pignatelli be excused.

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

Councilman Talamini entered at 7:33 pm.

MAYOR'S REPORT:

Mayor Schwager advised that Oakland was more festive this season thanks to Chopper Russo and Mike Rose who chaired the Holiday Lights Committee. Forty-eight homes registered this year. The judging will take place tomorrow night and prizes will be awarded. Mayor Schwager gave an update on the Patriot's Way Bridge. The State is doing emergency repairs. Additional work needs to be done so the timeline for completion has been extended. The anticipated opening of the bridge is January 14th. They are waiting for the decking material to arrive on January 7th before work can be completed. Mayor Schwager attended a ceremony last week at Ramapo College honoring Chopper Russo as one of Congressman Gottheimer's Hometown Heroes. Last year's winner was Mike Guadagnino, Chairman of the Recreation Commission and Park Committee. On December 12th, Officers Martin and Fitzgerald graduated the Police Academy.

RESOLUTION 18-358 HIRE POLICE OFFICER

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

WHEREAS, the Mayor and Council of the Borough of Oakland has determined the need to authorize the hiring of a police officer for the Oakland Police Department based on a vacancy and the current table of organization; and

WHEREAS, the Police Captain has recommended the appointment of Brandon L. VanDerVeen pending the completion of the necessary pre-employment testing and background checks;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that Brandon VanDerVeen be and is hereby appointed as a police officer for the Borough of Oakland, which appointment is effective as of December 20, 2018, and being made in accordance with the New Jersey Department of Personnel Certification of Eligibles for Appointment List, and his salary shall be \$ 40,289 for the Academy step in accordance with the current PBA contract.

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

OPENED FOR PUBLIC DISCUSSION:

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

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

Frank Monaco, 60 Thackeray, wished everyone a Merry Christmas and Happy New Year. He asked how much the cost is for the bridge. Borough Engineer John Yakimik responded that so far, the cost has been \$ 1. Councilman Levy advised that the State is doing the emergency repairs at their cost.

Michael Pritchard, 23 Calumet Ave, saw an article in the paper that Oakland lost an appeal in Court regarding the Bi-County property. He spoke about the potable water and the watershed being protected by Federal laws. Mr. Pritchard spoke of the Highlands Preservation Act . Oakland is in the Federal Highlands Preservation Act. Mayor Schwager thanked Mr. Pritchard for doing research on this issue. Councilman Biale advised that no one is starting development at this time. The Mayor and Council are in constant discussion with our attorney who is well-versed in land use law.

Dave Richardson, 320 Ramapo Valley Road, advised that the County came to repair the crosswalk on Ramapo Valley Road by Vet's Park. The County said it has been 17 years since Ramapo Valley Road was paved. Mayor Schwager advised that the Borough is at the mercy of the County but we will keep contacting the County. Mr. Richardson advised that the lights are on at the Recreation fields when they are not being used. Mayor Schwager responded that Councilman Kulmala will follow up with the Recreation Commission.

Frank Monaco, 60 Thackeray, commented that Ramapo Valley Road is a Federal, State, County and Municipal Road. Mayor Schwager responded that the road is under the control of the County for maintenance.

Jack Lynch, 14 First Street, asked the status of the abandoned houses on Roosevelt. Borough Engineer Yakimik responded that the Borough Administrator is putting together bid documents. Mr. Lynch advised that the houses have been abandoned for three years and it looks terrible. Councilman Kulmala advised that he had spoken to the Borough Administrator and the project will go out to bid in mid-January. Mr. Lynch expressed concern that when the houses are knocked down, it will become a mud field. Mayor Schwager advised she will speak to Mr. Kunze and update Mr. Lynch with a timeline.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: DECEMBER 5, 2018

On motion of Councilman Biale, seconded by Councilman Knapp, the minutes from the Mayor and Council meeting of December 5, 2018 be approved.

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

APPROVAL OF MINUTES: DECEMBER 5, 2018 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Knapp, the minutes from the Mayor and Council Executive Session of December 5, 2018 be approved.

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

RECOGNITION OF FRED BIRKS:

Mayor Schwager presented Fred Birks with a certificate from the Mayor and Council thanking him for his years of service as an original member on the Communications Commission. OCC Chairman Ryan Schwertfeger advised that the television control room is being named in honor of Mr. Birks. Councilman Kulmala commented that Mr. Birks helped build the television control room and has been involved with so much over the years. He thanked Mr. Birks for his service.

APPROVE RAFFLE LICENSE RL 1346:

On motion of Councilman Biale, seconded by Councilman Knapp, approval be granted for Raffle License RL1346 for the OLPH Church to hold an off-premise 50/50 raffle on March 16, 2019 at OLPH Church, 25 Purdue Avenue.

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

REQUEST BY SHOP-RITE LIQUORS:

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be granted to Shop-Rite Liquors to remain open until 9:00 pm on Sunday December 23, 2018.

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

Councilman Talamini asked if this should be extended for the other liquor store as well.

MOTION:

On motion of Councilman Talamini, seconded by Councilman Knapp, approval be granted to Oakland Wine & Liquors to remain open until 9:00 pm on Sunday December 23, 2018.

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

RESOLUTION 18-359 AWARD BID-FIRE SUPPRESSION SYSTEM

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

WHEREAS, two bids were received on December 4, 2018 for the new Fire Suppression System and Suspended Ceiling replacement project at the Senior Citizens Center; and

WHEREAS, La Rocca Inc., 50 Lewis Avenue, Jersey City, NJ 07306, submitted the lowest responsive and responsible bid with a total bid price of \$ 354,500; and

WHEREAS, the Architect and Borough Attorney have reviewed the bids and recommend the bid award to La Rocca Inc.; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-712-213 \$ 75,000 and Account #C-04-56-763-509 \$ 279,500;

NOW, THEREFORE, BE IT RESOLVED, that the bid of La Rocca Inc. in the total amount of \$ 354,500 be accepted; and

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

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

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

RESOLUTION 18-360 CANCEL CAPITAL BALANCES

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

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

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

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

General Capital

Ordinance

<u>Number</u>	<u>Description</u>	<u>Unexpended Improvement Authorization Balance to Cancel</u>
16-732	DOT West Oakland Ave	\$ 29,661.56
16-742	Fire Turnout Gear	\$ 175.00
16-743	Dump Truck / Plow	\$ 9,500.00
17-752	Senior Ctr AC	\$ 1,500.00
18-770	FD-Scott Bottle Replacement	\$ 190.00
18-770	FD-Emissions Filt System	\$ 782.82
18-770	ADM-TV Control Room Equipment	\$ 96.00
Total – General Capital		\$ 41,905.35

Water Capital

Ordinance

<u>Number</u>	<u>Description</u>	<u>Unexpended Improvement Authorization Balance to Cancel</u>
08-585	Well # 8 Admin	\$ 2,512.33

08-585	Well # 8 Construction	\$ 30,133.32
11-637	Darlington Tank Re-Painting	\$ 75,656.57
11-637	Telemetry System Purchase	\$ 55,506.17
12-659	Algonquin Main Admin	\$ 4,424.37
12-667	Algonquin Main Construction	\$ 48,682.31
13-681	Lehigh Water Mains Admin	\$ 8,587.21
13-681	Lehigh Water Mains Construction	\$ 57,361.88
15-719	Water Meters	\$ <u>208.00</u>
Total – Water Capital		\$ 283,072.16

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

RESOLUTION 18-361 REFUND RECREATION FEE

On motion of Councilman Biale, seconded by Councilman Levy, 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 Recreation Basketball and Travel Basketball Registration Fees in the amount of \$327.00; 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:

Kwang Han, 78 Thackeray Road, Oakland, NJ 07436 amount due \$ 140.00

Tara Ficarra, 4 Cardinal Drive, Oakland, NJ 07436 amount due \$ 187.00

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

RESOLUTION 18-362 APPOINT PLUMBING SUBCODE OFFICIAL

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

WHEREAS, due to a retirement, there is a need to appoint a part-time Plumbing Subcode Official for the Borough;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoint Vincent Pellegrini as part-time Plumbing Subcode Official at an annual salary of \$ 20,000 effective January 2, 2019.

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

RESOLUTION 18-363 HIRE SEASONAL DPW EMPLOYEES

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

BE IT RESOLVED that the Mayor and Council hereby authorize the hiring of the following seasonal laborer for the Department of Public Works:

NAME	EFFECTIVE DATE	SALARY
Nick Filingeri	January 2, 2019	\$ 12.00/hour

Ed Lockowitz

January 2, 2019

\$ 12.00/hour

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

RESOLUTION 18-364 BUDGET TRANSFER

On motion of Councilman Biale, seconded by Councilman Levy, 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 Calendar Year 2018 Current Fund budget:

<u>Current Fund</u>		From	To
<u>8-01-20-130-011</u>	Fin Admin – Permanent Full Time	<u>\$ 10,000.00</u>	
Sub-total		\$ 10,000.00	
 8-01-36-472-000	 Social Security		 <u>\$ 10,000.00</u>
Sub-total			<u>\$ 10,000.00</u>
 <u>Water Utility Fund</u>		 From	 To
<u>8-05-55-504-400</u>	Water – Gasoline	<u>\$ 17,500.00</u>	
Sub-total		\$ 17,500.00	
 8-05-55-502-100	 Water – Miscellaneous		 \$ 15,500.00
8-05-55-541-000	Water – Social Security		<u>\$ 2,000.00</u>
Sub-total			<u>\$ 17,500.00</u>

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

FINAL PUBLIC HEARING: ORDINANCE NO. 18-CODE-778 RECREATION FEES

The Clerk was directed to take from the table Ordinance No. 18-Code-778 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER IX, RECREATION FACILITIES AND RECREATION AREAS, SUBCHAPTER 9-2.3, ENTITLED "FEE SCHEDULE FOR ACTIVITIES".

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 Levy, this portion of the meeting be closed to public discussion.

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland Chapter IX, Recreation Facilities And Recreation Areas, Subchapter 9-2.3, Entitled "Fee Schedule For Activities", 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, Talamini.

FINAL PUBLIC HEARING: ORDINANCE NO. 18-CODE-779 WATER & SEWER RATES

The Clerk was directed to take from the table Ordinance No. 18-Code-779 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER XIII, SECTION 10 ENTITLED "WATER AND SEWER FEE SCHEDULE" AND SECTION 13 ENTITLED "CHARGES AND FEES"

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland Chapter XII, Section 10 Entitled "Water And Sewer Fee Schedule" And Section 13 Entitled "Charges And Fees", 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, Talamini.

NEW BUSINESS:

Mayor Schwager advised that the Oakland Post Office will be renamed in honor of former Postmaster Frank Leone. Congressman Gottheimer sponsored a bill that passed both the House and Senate and is waiting for signature from President Trump. Once the bill is signed, there will be a ceremony.

Councilman Kulmala wants new Christmas decorations on the poles in the downtown for next year from 287 to past the Police Station.

MOTION:

On motion of Councilman Kulmala, seconded by Councilman Talamini, there be new Christmas decorations for the downtown for next year.

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

COUNCIL REPORTS:

Councilman Talamini: The Public Events Committee needs members. The schools have a minimum day on Friday and then will be closed until January 2nd. He wished everyone Happy Holidays.

Councilman Kulmala: Recreation winter sports are underway. Volleyball signups will be held in January. Recreation will be doing online registration and online bill pay. It will be done on a trial basis for baseball and softball registrations. Councilman Kulmala thanked Fred Birks for all his years of service to the OCC. He wished everyone a Merry Christmas and a Happy New Year.

Councilman Biale: The Oakland Senior Club will hold their holiday party at the Senior Center tomorrow at 12:00. There will be a lunch buffet and entertainment. Bingo will be held December 27th. The Senior Center will be closing January to March to upgrade the Fire Suppression system. He wished all the Seniors a Merry Christmas and a Happy Healthy New Year. Yard Waste collection has ended. The LED light projects is ongoing. We have upgraded 50 fixtures since 2016 along the school routes and intersections. The Police have identified poorly lit spots for the 2019 allotment of LED lights. Christmas trees will be collected for the entire month of January. Councilman Biale wanted to wish his next door neighbor Mikayla a Merry Christmas and Happy New Year.

Councilman Levy: The Shade Tree Commission has advised that ash trees are diseased and should be taken down. The Flood Commission will meet January to March at Borough Hall since the Senior Center will be closed. The Flood Commission is looking for two new members.

Councilman Knapp: The Police Detectives participated in a a knockout opioids discussion. Emergency services participated in the Touch a Truck event in November. For the month of November, the Police Department responded to 220 motor vehicle stops, 66 ambulance calls, 25 Fire calls and 48 motor vehicle crashes. Councilman Knapp congratulated the newly sworn-in officer. The Municipal Alliance met December 10th. They fund many projects including the 8th grade dance and the LEAD program. The First Aid Squad responded to 61 calls in November for 122 manhours. Year-to-date they have responded to 846 calls for a total of 15,000 hours donated. The Fire Department responded to 25 calls in November for a total of 162 hours. Year-to-date, the Fire Department has responded to 415 calls for 8,039 hours. Councilman Knapp wished everyone Happy Holidays and a safe New Year.

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, Talamini.

Dirk Schwertfeger, 58 Andrew, advised that the craft show fundraiser for the Dog Park raised \$ 3,000. He thanked Councilman Kulmala and Councilman Knapp for attending. He hopes the Dog Park will be build in 2019. His son Ryan has been working on this for ten years.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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, Knapp, Kulmala, Levy, Talamini.

MEETING ADJOURNED:

On motion of Councilman Levy, seconded by Councilman Biale, the meeting be adjourned at 8:35 pm.

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

Lisa M. Duncan, Borough Clerk
January 9, 2019

Mayor Linda H. Schwager

Date Approved