

A REGULAR PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ORADELL HELD IN THE COUNCIL CHAMBERS OF THE ORADELL BOROUGH HALL, 355 KINDERKAMACK ROAD, ORADELL, NEW JERSEY, ON DECEMBER 11, 2018.

In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The Annual Notice, which details the meetings dates for the year, has been sent to The Record and Ridgewood News, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk.

1. CALL TO ORDER- OPEN PUBLIC MEETINGS ACT – ROLL CALL

Mayor Dianne Camelo Didio called the meeting to order at 8:21 p.m. and read Statement of Compliance with the Open Public Meeting Act.

At roll call, the following were present:
Mayor Dianne Didio

Councilmembers:
Tracy Schoenberg
Roger Tashjian
Stephen Carnevale
Rob Jannicelli
Tom Kelly
Miriam Yu

Borough Administrator/Municipal Clerk Laura J. Lyons
Borough Attorney Andrew Oddo, Esq.
Borough Engineer David Atkinson

Public Comment (for agenda items only):

Bill Collins, 725 Woodland Ave., stated that Tenafly was one of the first communities in Bergen County to adopt FAR in order to prevent overbuilding of smaller lots. Oradell's Planning Board decided to eliminate FAR because they felt there was enough limitations in place. However, Mr. Collins feels that the removal of FAR gives the developer an advantage and also prevents building of mega mansions.

Paul Latsounas, 50 Beverly Rd., asked for clarification regarding item no. 4 under correspondence (Notice from Borough of Emerson Affordable Housing Plan). Mrs. Lyons responded that Emerson recently passed their Affordable Housing Plan and is required to notify adjacent municipalities.

Mr. Latsounas questioned Resolutions 18-231 to 18-233 (tax overpayments). Mrs. Lyons explained that the refunds relate to taxes that have been duplicated and the resolutions reflect the refund to the homeowners.

Mr. Latsounas inquired as to how much the Borough is paying for shared Public Health Shared Services with the County (Resolution 18-241). Mrs. Lyons responded \$39,000.

Upon motion by Councilman Tashjian, seconded by Council President Schoenberg, with all in favor, the public comment portion of the meeting was closed.

Correspondence:

Upon motion by Council President Schoenberg, seconded by Councilman Tashjian, with all in favor, the following correspondence will be filed:

1. Notice from Superior Court of NJ re: Court Session cancellations
2. Thank you note for Veterans Dinner – Cook
3. Thank you note for flower arrangements – Besink
4. Notice from Borough of Emerson Affordable Housing Plan
5. Notice from DEP re: Reservoir Dam technical review
6. Letter re: tree 734 Sherwood Ct

Consent Agenda:

Council President Schoenberg made a motion, seconded by Councilman Jannicelli, to amend the Consent Agenda to include Resolution 18-242. Mrs. Lyons requested that Resolution 18-242 be read by title at a minimum. Mrs. Schoenberg read Resolution 18-242 by title “Resolution memorializing personnel action taken in closed session on December 11, 2018.”

Upon motion by Councilman Tashjian and seconded by Council President Schoenberg, the *amended* Consent Agenda was approved as follows:

RESOLVED, that (made part hereof) Resolution #18-229: payment of all bills and vouchers in the amount of \$2,717,643.84, be approved.

RESOLVED, that (made part hereof) Resolution #18-230: cancellation of debt balance of \$555,472.08 for Sanitary Sewer Phase IV, be approved.

RESOLVED, that (made part hereof) Resolution #18-231: tax overpayment refund Block 802 Lot 2 in the amount of \$9,886.79, be approved.

RESOLVED, that (made part hereof) Resolution #18-232: tax overpayment refund Block 321 Lot 13 in the amount of \$3,433.15, be approved.

RESOLVED, that (made part hereof) Resolution #18-233: Veterans Deduction Block 210 Lot 6 and grant refund of \$250.00, be approved.

RESOLVED, that (made part hereof) Resolution #18-234: tax stipulation of settlement for Block 221 Lot 3 in the amount of \$2,345.28, be approved.

RESOLVED, that (made part hereof) Resolution #18-235: repeal resolution 18-196 due to GM cancelling the order, be approved.

RESOLVED, that (made part hereof) Resolution #18-236: award state contract 2019 Ford F-450 Beyer Ford, be approved.

RESOLVED, that (made part hereof) Resolution #18-237: hiring of Ross Rhein as DPW Laborer step 1 \$40,260.00 effective January 1, 2019, be approved.

RESOLVED, that (made part hereof) Resolution #18-238: Police Department Rules and Regulations, be approved.

RESOLVED, that (made part hereof) Resolution #18-239: appoint Dan Nywening as Designated Person for Air Quality Compliance under PEOSHA, be approved.

RESOLVED, that (made part hereof) Resolution #18-240: Paramus and Oradell Municipal Court contract for Court Administrator year 3, be approved.

RESOLVED, that (made part hereof) Resolution #18-241: agreement with Bergen County Health Services for Public Health Officer, Registered Environmental Health Specialist, Animal Control Services and Employee Assistance Program, be approved.

RESOLVED, that (made part hereof) Resolution #18-242: memorialization regarding personnel action taken in closed session on December 11, 2018, be approved.

Roll Call Vote:

Ayes: Schoenberg, Tashjian, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: None

Abstain: None

Committee Reports:

Administration, Fire & Business Development

Council President Tracy Schoenberg

Administration

Mrs. Schoenberg said that Department Heads must complete their department's evaluations by December 14th and the evaluations and recommendations will be submitted prior to the January 15th meeting.

Senior Citizens

She stated that the annual holiday dinner will be held tomorrow night at River Dell High School and thanked the Girl Scouts who will be assisting seniors.

She reported that the Senior Citizens Advisory Committee will be distributing survey so we can better understand the needs of our seniors.

Seniors can take advantage of snow shoveling program that pairs Oradell senior citizens with high school students.

Fire

Mrs. Schoenberg reported that the Oradell Fire Dept.'s poker night was a huge success raising money for Ol' Mo, the historic fire truck.

The Fire Official has submitted his resignation and the Borough is actively looking for his replacement.

She stated that the dive rescue team has a new sonar device for water rescue.

Mrs. Schoenberg stated that Santa's Visit is December 23rd.

Business Development

She stated that Chris Macaluso, a local business owner, expressed interest in joining EDAC next year.

EDAC will be hosting quarterly events in 2019.

Mayor Didio and Council President Schoenberg met with NJ Arts Foundation to bring public art displays and performances to underutilized properties within Oradell.

DPW & Engineering and Shared Service:

Councilman Roger Tashjian

Dave Atkinson, Borough Engineer, reported that survey crews from his office have begun to collect data in preparation of 2019 road improvement project.

The County proposed short-term improvements to increase safety, regarding the intersection at Forest Ave. and Soldier Hill Rd. Phase I includes installation of pedestrian buttons and additional traffic lights. Phase II will include the elimination of one of the northbound lanes (on Forest Ave.) to make a dedicated left turn only lane. The long term plan is to widen intersection to accommodate additional lanes.

Mr. Atkinson is in the process of reviewing proposed changes to Oradell Ave./Forest Ave. intersection to include a dedicated left turn only lane. If approved by County, striping would occur in the springtime.

The County concluded the intersection does not warrant a traffic signal at Oradell Ave./Summit Ave.

Mr. Atkinson asked the County to review the volume of traffic on Kinderkamack Rd., especially the challenges that motorists face who approach Kinderkamack Rd. from Lincoln Ave. and Garden Ave. The County does not appear to be willing to make any modifications at those intersections, but the engineer will speak further with the County.

The field at DPAC should be completed by next week.

Councilman Tashjian reported that leaf collection should be completed by next week.

Mr. Tashjian recommended the public should download the Recycle App which is located on the Borough's website. The app posts the dates for recycling.

The pond at Memorial Field is still too wet to cut and flood to use as a skating pond.

Police, Emergency Management, Regional School Funding, Technology & Communication

Councilman Stephen Carnevale

Police/Emergency Management

Councilman Carnevale is in the process of scheduling a meeting with Chief Wicker to continue discussions regarding pedestrian flag program and background checks for coaches.

Planning Board

He reported the Planning Board approved the updates to the Master Plan by a 5-3 vote. The Mayor and Council may now consider the Board's recommendations for consideration to revise the current Land Use code. There is no specific timetable for the Mayor and Council to adopt any of the recommendations, except for those that are needed in conjunction with the affordable housing settlement agreement which was reached with Fair Share Housing. Councilman Carnevale thanked the members of the Planning Board for their time and effort in order to complete the important function of the Master Plan re-exam. He also thanked the residents for their valuable feedback throughout the process.

Regional School Funding

Technology & Communication

He stated there is nothing to report regarding Regional School Funding and Technology and Communication.

Ordinance

Councilman Rob Jannicelli

Ordinance

Councilman Jannicelli stated that Ordinance 18-22 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

**AN ORDINANCE AMENDING CHAPTER 115 "FEES" IN
THE BOROUGH OF ORADELL**

Mayor Didio opened the meeting to the public.

Councilman Jannicelli made a motion to approve Ordinance 18-22 upon first reading, to be published in the Record on Friday, December 14, 2018. Council President Schoenberg seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Tashjian, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: None

Abstain: None

He stated the Ordinance Committee discussed limiting the placement of residential garbage in front of homeowner's property.

He stated the Ordinance Committee requested that an ordinance prohibiting e-cigarettes and vaping be considered by Board of Health. Council President Schoenberg suggested that Board of Health check with River Edge as they recently passed similar ordinance.

Another ordinance to be discussed will be using Oradell Police for events that utilize town property.

The councilman also stated that parking spots behind Borough Hall are limited and there seems to be an issue finding parking during the day. Suggestions include increasing spots for 15-minute parking for borough business.

The borough attorney is reviewing an ordinance that relates to abandoned property.

Ambulance

Nothing to report.

Recreation

He stated the Playground subcommittee is reviewing three different options for playground equipment. Columbia Bank gave a donation toward the playground. There is also grant money that was received for dog park has been re-allocated to the playground.

Special Events

After the conclusion of the councilman's report, Mayor Didio stated that since parking is tight in the lot behind Borough Hall, her spot can be utilized for anyone who needs it as long as she is not scheduled for an appointment. Administrator/Clerk Lyons thanked the Mayor for her offer and explained that the reason for the limited parking is that the number of staff has increased over the years, and the Borough has acquired additional vehicles, i.e. Recreation, OEM, etc. Additionally, when OPS gets out in the afternoon, parents appear to be taking spots in the rear lot meant for employee parking. The Administrator/Clerk will create a matrix to help find a solution to the parking issue.

Finance and Insurance:

Councilman Thomas Kelly

Councilman Thomas Kelly had nothing to report under Finance & Insurance.

Environmental/Beautification

Mr. Kelly thanked all the volunteers for decorating Borough Hall.

Outreach Committee

Mr. Kelly stated that River Edge has a similar committee as our Outreach Committee. Their representative will speak at Oradell's Outreach Committee meeting in January.

Board of Health, Library, Municipal Drug Alliance:

Councilwoman Miriam Yu

Board of Health

Mrs. Yu stated that there will be free health screenings for seniors at the Senior Center on December 18th from 9:30 – 11 am.

Library

Mrs. Yu announced that the library is looking for an experienced bookkeeper to work flexible hours (5-6 hours/week).

Due to new law regarding sick time, part-time library personnel will be entitled to sick time. Mrs. Lyons said that the new time and tracking system is anticipated in February.

The library will hold its annual holiday party on December 13th at 7:00 pm. The party is open to the public.

Mayor's Report:

Mayor Didio reported that Bergen County Mayors passed the resolution opposing the power plant. The Mayor will bring the resolution to Pascack Valley Mayors Association for their comments.

Mayor Didio said that a Verizon representative attended the Bergen County Mayors Association meeting today and spoke about 5G technology and the battery packs that will be attached to utility poles. The Mayor will review the material and provide to council.

Mayor Didio asked that council advise her by the end of the month as to which committee assignments they prefer.

Administrator/Clerk's Report:

Mrs. Lyons thanked Mayor and Council for their support in her request to close Borough Hall on Christmas Eve (December 24th) in addition to Christmas Day.

Sine Die will be held at 1:30 pm and Reorganization at 2:00 pm on January 6th on the second floor of Borough Hall.

Borough Attorney's Report:

Mr. Oddo asked council to consider adding a resolution to appoint Michael Kates, Esq. as special

land use counsel with respect to the White Beeches matter.

Councilman Tashjian motioned that the appointment of Mr. Kates as special land use counsel with respect to the White Beeches matter be added to the agenda. The motion was seconded by Councilman Jannicelli. Resolution 18-243 was approved.

Roll Call Vote:

Ayes: Tashjian, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: None

Abstain: Schoenberg

Upon motion by Councilman Tashjian and seconded by Councilman Jannicelli, it was

RESOLVED, that (made part hereof) Resolution #18-243: Michael Kates, Esq. of Kates, Nussman, Rapone, Ellis & Farhi, as special land use counsel for the White Beeches matter, be approved.

Roll Call Vote:

Ayes: Tashjian, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: None

Abstain: Schoenberg

Public Comment:

Paul Latsounas, 50 Beverly Rd., requested that Block 118, Lot 2 (south side of New Milford Ave.) be removed from the AH2 zone as he felt that the parcel was picked arbitrarily.

Mr. Latsounas suggested a drawing contest for the design of the pedestrian flags which would also help to spread the word about the program.

Lou Esler, 746 Amaryllis Ave., said the Van Buskirk house (on New Milford Ave.) was built in 1808 and is a historic house and Oradell's first post office.

Mr. Esler asked for clarification regarding FAR (Floor Area Ratio). Councilman Carnevale responded that the Master Plan is a document of recommendation and no action has been taken on any zoning ordinance as a result of the Master Plan.

Andrew Rudman, 953 Cortes Ct., understands that the Borough will be seeking legislative remedies to the school funding matter since the NJ Supreme Court refused to hear the case. He wanted to know if the governing body can discuss their efforts for legislative reform. Council President Schoenberg stated that she spoke to Senate President Sweeney twice about the matter and is looking to set up additional meetings. Mayor Didio welcomed Mr. Rudman, a former councilman, to attend the meetings due to his history with the subject matter. Mr. Rudman asked that he be notified ahead of time so he can work it into his schedule.

Mr. Rudman asked for clarification regarding the ponding at DPAC. Councilman Jannicelli explained that it is the pool of water between the parking lot and the field.

Mr. Rudman inquired as to the nature of Resolution 18-242. Mayor Didio explained that it is a resolution to take personnel action. Mr. Rudman indicated that it was added to the agenda after public comment concluded and inquired when it would be available. Mayor Didio responded that the resolution would be posted tomorrow.

Regina Little, 327 Maple Ave., said that residents and motorists on Garden and Lincoln Avenues cannot turn onto Kinderkamack Rd. and the response from the County is unacceptable.

Ms. Little said that the residents of Oradell should be in control of development that is proposed in town.

Paul Tina, 503 Reis Ave., said that the Master Plan poses liability for small businesses. It would be catastrophic if those small businesses were forced to leave due to a developer's plan to renovate.

Sam Tripsas, 327 Maple Ave., showed an 1850's picture of Van Buskirk house from a history book of Oradell.

Mr. Tripsas asked where the percentage for FAR came from? Mr. Carnevale replied that it has always been part of the code. In addition to FAR at 35%, there is a maximum lot coverage of 40%. Mr. Tripsas would like to see FAR remain as an extra protection.

Theresa Trass, Maple Ave., commented on the developer's motives. FAR is a good method for defense. She is asking that Mayor and Council keep FAR and protect the town by not opening the door to developers.

Larry Bogert, Wanamaker Ave., wanted to know if Mayor and Council could reject all or part of the Master Plan. Mr. Oddo responded in the negative. In effect, if the Council wanted to reject the Plan, they would not act on the recommendations made by the Planning Board. Mr. Bogert asked the Mayor and Council to keep the style of the town.

Councilman Tashjian made a motion, seconded by Council President Schoenberg, to close the meeting to the public. All in favor.

Councilman Tashjian made a motion, seconded by Council President Schoenberg, to adjourn. All in favor.

Mayor Didio and Council wished everyone Happy Holidays!

ADJOURNMENT

At 9:52 pm, the public meeting adjourned.