

\REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD VIA ZOOM VIDEO CONFERENCE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
TUESDAY NOVEMBER 24, 2020

MOVE TO EXECUTIVE SESSION:

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Personnel; Affordable Housing
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, Pignatelli, Talamini.

Borough Attorney Chewcaskie entered the meeting at 6:53 pm.

Councilman Van Eck entered the meeting at 6:58 pm.

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

CLOSE EXECUTIVE SESSION:

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

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

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, Pignatelli, Talamini, Van Eck. Absent: None. Also Present: Michael Carelli, Deputy 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, submitted to the newspaper and advertised more than 48 hours in advance of the meeting and notice posted in the Municipal Building and on the Borough website.

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**MAYOR'S REPORT:**

Mayor Schwager spoke about the dismantling of the Stream House which is moving on track. She stated it has been a dream to put up a small museum on that site because for a short time, that was the County Seat during the Revolutionary War. Mayor Schwager wished everyone a Happy Thanksgiving. She reminded residents not to be complacent about COVID-19 and to follow CDC guidelines and stay well.

**OPENED FOR PUBLIC COMMENT:**

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

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

Jerri Angermueller, 24 Lakeview Terrace, advised her neighbor has been in a nursing home and is having problem paying taxes. She went to the tax office to get a printout on November 13<sup>th</sup> and it included the cost of the tax sale. This was five weeks before the tax sale not four weeks and is against tax law. She advised she may call the State.

**CLOSED FOR PUBLIC COMMENT:**

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

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

**APPROVAL OF MINUTES: OCTOBER 28, 2020**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of October 28, 2020 be approved.

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

**APPROVAL OF MINUTES: NOVEMBER 9, 2020**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of November 9, 2020 be approved.

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

**APPROVAL OF MINUTES: OCTOBER 28, 2020 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of October 28, 2020 be approved.

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

**APPOINTMENT TO PUBLIC EVENTS COMMITTEE:**

Mayor Schwager brought forth the nomination of Pam Wasserman for appointment to a three-year term on the Public Events Committee.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Pam Wasserman to the Public Events Committee for a term to expire December 31, 2022.

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

**RESOLUTION 20-289 REJECT BID-VAN ALLEN HOUSE INTERIOR RENOVATION PROJECT**

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

WHEREAS, the Borough of Oakland received bids for the Van Allen House Interior Renovations Project on November 10, 2020; and

WHEREAS, the bid amount exceeded the amount of available funding established by the Borough for this project; and

WHEREAS, the Borough Administrator and the Borough's Historic Preservation Specialist reviewed the bid and have recommended that the bid be rejected at this time pursuant to N.J.S.A. 40A:11-13.2(b);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Borough does hereby reject the bid for the Van Allen House Renovation Project.

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

**RESOLUTION 20-290 AUTHORIZE RECREATION REFUNDS**

On motion of Councilman Knapp, seconded by Councilman Van Eck, 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 fees; 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:

Mistry Family, 18 Dacotah Ave., Oakland, NJ, amt. \$ 68 (Rec Tball)  
 Vigeant Family, 89 Iroquois Ave, Oakland, NJ, amt. \$ 78 (Softball)  
 Patel Family, 8 Point View, Oakland, NJ, amt. \$ 70 (Rec Basketball)

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

**RESOLUTION 20-291 AUTHORIZE TAX REFUNDS DUE TO SUCCESSFUL COUNTY TAX BOARD APPEALS**

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

WHEREAS, the Borough of Oakland must refund taxes due to successful 2020 County Tax Board appeals; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>OWNER</u>	<u>AMOUNT</u>
402/3	119 Truman Blvd.	Dzuli, Recep	\$ 2,450.18
701/16	1 Overlook Ridge Ext.	Gaber, Hend Lofty	\$ 9,566.81
802/13	46 Overlook Ridge	Schoffelen, M. & T.	\$ 2,513.16
802/21	32 Overlook Ridge	Gordon, K. & N.	\$ 2,267.24
803/8	4 Point View	Sher, B. & S.	\$ 899.70
803/17	2 Whispering Woods	Suraneni	\$ 2,717.09
804/9	19 River Dell	Wiener, B.& M.	\$ 1,796.40
901/33	2 Valley Forge Rd.	Ferguson	\$ 1,676.44
901/34	4 Valley Forge Rd.	Frome, I & C	\$ 2,249.25
901/38	12 Valley Forge Rd.	Thakkar, K.	\$ 2,699.10
1001/1	25 Lee Way	Cruz, D & J	\$ 4,531.49
1001/46	14 Brandywine	Zubcak Living Trust	\$ 947.68
1001/48	6 Brandywine	Perkel, D.	\$ 1,658.45
1001/49	753 Ramapo Valley	Rose, M., Maurelli, L	\$ 4,498.26
1101/17	27 Falling Waters	Jessourian, R.	\$ 2,108.30
1501/2	Lakeshore Dr.	Maniaci, N.	\$ 767.74
1501/3	191 Lakeshore Dr.	Maniaci, N.	\$ 449.85
2601/10	18 Ramapo Valley Rd.	Nadzan, T.	\$ 2,225.26
2801/3	70 Long Hill Rd.	Morano, J & A	\$ 2,699.10
2801/7	94 Long Hill Rd.	Lydecker, J.	\$ 812.73

2801/8	96 Long Hill Rd.	Lydecker, J.	\$ 1,937.35
2801/19	38 Stone Fence Rd.	Felici, C. & L.	\$ 959.68
3001/5	146 Long Hill Rd.	Halem, H.	\$ 995.67
3204/2	100 Bauer Dr.	100 Bauer Dr. Assoc.LLC	\$ 20,894.03
3501/76	210 Ramapo Valley Rd.	Ashkar, J.	\$ 1,913.36
3701/14	61 Page Dr.	Havens, A.	\$ 1,028.66
3702/12	3 Hopper St.	Tichio, D. & D.	\$ 1,709.43
3703/40	160 Yawpo Ave.	Cuomo, L.	\$ 1,832.39
3801/2	1 Laurel Ct.	Caminiti, P. & J.	\$ 2,291.24
4806/30	59 Seminole Ave.	Singh, S. & G.	\$ 515.83
4903/8	44 Loyola Pl.	US Bank Trust	\$ 959.68
4904/4	56 Loyola Pl.	Yoo, E.	\$ 653.78
4909/14	17 Sienna Way	Spinella, F. & R.	\$ 1,592.47
5003/9	48 Seton Hall Dr.	Fobes, J. et.al	\$ 2,177.27
5006/4	27 Cayuga Ave.	Jaksarn & Fermin	\$ 3,079.97
5302/4	30 Cherokee Tr.	Hurley, P. & P.	\$ 1,262.58
5304/23	54 Andrew Ave.	Kates, L. & L.	\$ 1,355.55
5501/20	92 Chicasaw Dr.	McKenna, J & R.	\$ 1,037.65

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Van Eck.  
Abstain, Councilman Talamini.

#### RESOLUTION 20-292 AWARD CONTRACT-ENGINEERING FOR RVR SIDEWALK PROJECT

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

WHEREAS, the Borough of Oakland desires install new public sidewalk along the west side of Ramapo Valley Road; and

WHEREAS, there is a need for engineering services required for the first segment of the project from Navajo Way to Thunderbird Drive; and

WHEREAS, Boswell Engineering has submitted a proposal dated November 20, 2020 for the work required in an amount not to exceed \$ 93,800 broken down as follows; and

Task III Right of Way/Easement Acq. Maps	\$ 4,800
Task IV Geotechnical Evaluation/Design Retaining Walls	\$ 21,000
Task V Final Construction Plans, Specifications, Estimate	\$ 20,500
Task VI Construction Management	\$ 47,500

WHEREAS, Boswell Engineering 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-04-56-691-303 \$10,000; C-04-56-706-205 \$29,771; C-04-56-712-210 \$10,000; C-04-56-763-502 \$10,000; C-04-56-761-100 \$3,000; C-04-56-787-311 \$31,029

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the engineering services for the first segment of the Ramapo Valley Road sidewalk project at a cost not to exceed \$ 93,800 as specified in their proposal; 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, Pignatelli, Talamini, Van Eck.

#### RESOLUTION 20-293 AUTHORIZE SURPLUS PROPERTY AUCTION

On motion of Councilman Knapp, seconded by Councilman Van Eck, 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](http://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 #
2003	Crown Victoria	2FAFP71W13X139096	
2004	Ford F-250 pick-up and Western plow	1FTNF21L14EB45033	
2001	Ford F-250 pick-up and Western plow	1FTNF21L31EB70088	
1990	Case 621 front-end loader	JAK0021757	
	Dynapac smooth drum roller Model CG-15	Serial #178499	

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, Pignatelli, Talamini, Van Eck.

#### RESOLUTION 20-294 HIRE SEASONAL SNOW PLOW EMPLOYEES

On motion of Councilman Knapp, seconded by Councilman Van Eck, 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 November 4, 2019:

Giuseppe Capparelli  
 Brian Morrisroe  
 Jeffrey Pereira  
 Zachary Sirgant  
 Trevor White

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

#### RESOLUTION 20-296 AMEND TEMPORARY OUTDOOR DINING RESOLUTION

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

WHEREAS, the Mayor and Council of the Borough of Oakland had previously adopted Resolution 20-214 which allowed for outdoor dining; and

WHEREAS, there was an error in Section 9e of Resolution 20-214 regarding how many sides of the tent must remain open while people are dining;

NOW, THEREFORE, BE IT RESOLVED that Section 9e be amended as follows:

- e. An awning or umbrellas may be utilized within an outdoor restaurant area, Tents shall be permitted provided that a minimum of two sides are completely open while people are dining.

Councilman Kulmala asked for clarification since he was not on the Council when these resolutions were passed. Mr. Chewcaskie advised that the initial Executive Orders did not necessarily authorize outdoor dining. It permitted outdoor dining subject to the requirements of the municipality. Most of the outdoor dining is located in parking areas. If the Governing Body did not pass a resolution, each property owner would have had to go to the Planning or Zoning Board for approval. The Government Body decided to do a resolution to determine the parameters of outdoor dining for the interest of public safety. He advised that the change in this resolution is to conform to the recent Executive Order that was issued regarding tents for outdoor dining. Councilman Kulmala asked if the Executive Order would supercede our resolution. Mr. Chewcaskie responded our resolution should be consistent with the Executive Order. Councilman Kulmala stated this change is going to decimate the businesses. Councilman Talamini responded that this is making it easier for the restaurants. The original resolution stated they had to have three sides of the tent open and now they can have two sided open. Councilman Talamini asked the restaurants to follow the rules.

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

#### INTRODUCTION: ORDINANCE NO. 20-BOND-817

The Clerk was directed to take from table Ordinance No. 20-Bond-817 and read by title for its first reading.

The Clerk then read by title Ordinance No. 20-Bond-817 entitled: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE CONSTRUCTION PHASE 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 \$ 5,500,000 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"

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, Bond Ordinance To Authorize The Undertaking Of The Construction Phase 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 \$ 5,500,000 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 introduced;

That said Ordinance be considered for final adoption at a meeting on December 9, 2020 at the Council meeting held via Zoom video conference, Oakland, New Jersey at 7:30 P.M.



That said Ordinance be published in full in The Record on or before Monday November 30, 2020 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, Pignatelli, Talamini, Van Eck.

#### RESOLUTION 20-295 INTRODUCTION ORDINANCE 20-BOND-817

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 ordinance entitled:

"BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE CONSTRUCTION PHASE 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 \$5,500,000 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."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of December, 2020, at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

#### FINAL PUBLIC HEARING: ORDINANCE NO. 20-CODE-813

The Clerk was directed to take from the table Ordinance No. 20-Code-813 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1 THROUGH 16 OF ORDINANCE NO-19-CODE-780 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

#### OPENED FOR PUBLIC COMMENT:

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

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

No comments.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

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 Revising, Amending And Reenacting Paragraphs 1 Through 16 Of Ordinance No-19-Code-780 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", 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, Kulmala, Pignatelli, Talamini, Van Eck. Abstain, Councilman Knapp.

**WORK SESSION:**

**2021 MEETING SCHEDULE:**

Mr. Kunze advised that the schedule needs to be discussed now for inclusion in the Borough calendar which must go out to print soon. Mayor Schwager announced there is conflict with September 8<sup>th</sup> since it is the second day of Rosh Hashanah. She asked that it be changed. She advised that it can't be held Monday or Tuesday of that week and Thursday the 9<sup>th</sup> would be the Planning Board meeting. Mr. Kunze advised that there are five Wednesdays in September so the meetings could be held the 15<sup>th</sup> and 29<sup>th</sup> without issue to the rest of the schedule. Mayor Schwager advised there is an issue with September 15<sup>th</sup>. Councilman Knapp suggested September 14<sup>th</sup> and 29<sup>th</sup>. Mr. Kunze asked about the December 22<sup>nd</sup> meeting. Councilman Van Eck commented it would be great if that could be earlier. Mayor Schwager suggested holding it on Monday December 20<sup>th</sup>. The Council consented.

**ENGINEERING PROPOSAL FOR SKYVIEW/HIBROOK COLLECTION SYSTEM**

Mr. Kunze advised that this is to keep the I&I relining project moving forward since the funding was recently authorized. This proposal from Boswell includes data collection, design, construction documents and inspection at a total not to exceed cost of \$ 45,000. A resolution to award the contract will be done at the next meeting. Councilman Kulmala asked how soon the project will begin. Mr. Kunze responded that we hope to go out to bid early next year. Borough Engineer John Yakimik had indicated that they need 40 days to get documents ready to go out to bid.

#### AMEND FEE SCHEDULE:

Mayor Schwager advised that the Green Team had received a \$20,000 grant for a community garden. The fee needs to be established. Councilman Pignatelli advised that we missed the growing and planting season this year but will move forward next year. Plots will be available on a first-come, first-served basis. Mayor Schwager commented that the fee will be \$ 50 and sked where the application forms will be available. Assistant to the Administrator Michael Carelli responded that the application forms will be available within a month. Councilman Pignatelli advised that seeds are available at the Library.

Mr. Kunze advised that there are small changes to the Recreation fees. Some fees are going up and some are going down. Recreation is trying to expand programs with a new travel softball program and new lacrosse program.

#### OLD BUSINESS:

Councilman Talamini asked if the CFO could respond to the resident's question about the tax sale. Mr. Young stated that N.J.S.A. 54:5-38 is very specific regarding fees for accelerated tax sales. The municipality can begin charging fees as of 11/11 as soon as the grace period ends. For a standard tax sale, which we don't have, the municipality would have 50 days to charge fees. The Borough is fully compliant with State statute. The Borough is selling taxes due to the municipality. Lien holders can purchase those and they pay the municipality immediately. Therefore, the Borough will have all the revenues required to pay the County and Schools the taxes owed. The accelerated tax sale reduces the requirement for the Reserve for Uncollected Taxes. The lien holder cannot do anything for two years so the tax payer has time to repay the taxes.

#### COUNCIL REPORTS:

Councilman Talamini: The Borough received another AAA Bond rating. This helps with borrowing money. Councilman Talamini is very proud of the work that David Young and Rich Kunze and the rest of the staff does. The Library is open for in-person and online services. The Library is a wonderful resource for the residents. The schools are open. The high school has closed depending on COVID cases. He wished everyone a safe and healthy Thanksgiving.

Councilman Van Eck: The Shade Tree Commission will meet December 7<sup>th</sup> at 7:30 pm. They will review the tree ordinance. They are working on RFQ's for new trees and for tree pruning and removal. The Recreation Commission rescheduled their meeting to tonight. They are an amazing group of people. Oakland is the only town that is running all Recreation programs. Basketball will be on the courts January 11<sup>th</sup>. Recreation summer camp will be held June 28 to August 6<sup>th</sup>. The Planning Board met and approved the Oakland Diner application subject to memorialization of the resolution on December 10<sup>th</sup>. There will also be a minor residential subdivision application on that night. The OCC is looking for volunteers. They are installing equipment in the tv control room. The OCC is looking for original music from Oakland residents to be used as background music for the tv channel. The next OCC meeting will be held January 11<sup>th</sup>. He wished everyone a Happy Thanksgiving.

Councilman Kulmala: He had an opportunity to go to Great Oak Park and it looks spectacular with the paving done and the dog park leveled. It looks great. He wished everyone a Happy Thanksgiving.

Councilman Knapp: He read a message from the Police Chief urging all residents to follow Executive Orders and CDC guidelines with the rise of COVID cases. The Police Chief asked residents to hold out because a vaccine will be available shortly to protect the most vulnerable.

The First Aid Squad had 48 calls in October for 96 hours. There have been 479 calls year-to-date for 958 hours. The First Aid Squad members have volunteered for 10299 on duty hours. The paving of the parking lot and entry road to Great Oak Park is complete. It looks great. The work on the dog park has ceased for the end of the year but there has been progress. The bandshell is in the engineering phase and should be constructed in the spring so there has been good progress.

Councilman Pignatelli: The Green Team is meeting tonight. The Board of Health met and reviewed the chicken ordinance. They recommended changes to the ordinance. This will go back to the Borough Council. The ordinance will then be referred to the Planning Board because it amends the Land Use code. The Council will have a public hearing before final adoption for the public to speak. Councilman Pignatelli spoke about the COVID vaccine having 95% efficacy. This is a huge step forward. The reason it was done quickly is because of scientific advancements and the government funded production of the vaccine. He stated the vaccine is safe. He wished everyone a Happy Thanksgiving and asked people to keep it small.

Councilman Biale: The Senior Center has winter hours of 9 am to 2 pm through February 26<sup>th</sup>. There is a mix of hybrid and in-person programs at the Senior Center. Pre-registration is required for in-person programs. The programs are being run according to CDC and Health guidelines. The Library and Senior Center have a Books to Go program. Books will be dropped off and picked up on Tuesdays by the Senior bus. The Book Club is resuming on December 16<sup>th</sup> with a hybrid format. Line dancing is postponed to January. Ipads are available for members of the Senior Club to borrow for use at the Senior Center. The weekly shopping trips have resumed on Tuesdays. There will be a virtual presentation from the Alzheimer's Association on December 3<sup>rd</sup>. The Senior Center's oldest member, Josephine Berkowitz, passed away at age 105. Councilman Biale offered condolences to her family. The 2020 road resurfacing project is near completion and only a few small items remain. The DPW is working with the Engineer on the 2021 road resurfacing project. The DPW has repaired over 1800 potholes this year and they are asking residents to report any potholes. The yard waste pick up will end December 7<sup>th</sup> and 8<sup>th</sup>. The fire hydrant flushing project is complete. There were 550 Borough-owned hydrants tested and flushed and any necessary repairs were made. There were 8 hydrants that required complete replacement. The service line repair on Yale Way has been completed and service restored. The Stream House is down to the last few pieces of wood. Councilman Biale is taking as many pictures as possible to document the process. There will be a meeting with the Historical Society to discuss what to replace the building with. Councilman Biale advised that the sidewalk project is intended to install new sidewalks on the west side of Ramapo Valley Road from Navajo to Saratoga. The work will be done in two segments with the first segment being Navajo to Thunderbird. He wished everyone a Happy Thanksgiving.

#### OPENED FOR PUBLIC COMMENT:

On motion of Councilman Knapp, seconded by Councilman this portion of the meeting be opened for public comment.

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

Martin Ruback, 45 Academy Circle, has been a sewer user since 1972. He has paid \$ 45,000 in sewer costs. He feels that the Mayor and Council were inept and led to the deterioration of the sewer treatment plants. He stated that he is paying twice the cost of sewer users in other towns. He always heard the entire town would be sewered and would share the costs. He asked if the Mayor and Council think it is fair for the sewer users to take on \$ 5.7 million cost. If the cost was shared by the entire town, it would cost each homeowner only \$ 45 per year.

Rachel Gregory, 2 Kiowa Terrace, commented that a couple of people were kicked off the Zoom call and stated the Mayor and Council should reiterate the process to people for making comments. She advised she submitted an OPRA request to get an itemized breakdown of sewer costs.

Michael Kozak, 24 Cayuga Ave, asked if residents with failing septic systems would be allowed to connect to the system if they lived on a street where the sewer pipe runs. He stated that the 235 residents are funding the entire cost of the sewer project including the \$ 400,000 fine due to a Borough employee. The Borough should take on that cost. He asked what the plan would be to reimburse the 235 users if others were allowed to connect to the system. He stated there needs to be economy of scale to create less of a burden for the users of the sewer system.

**CLOSED FOR PUBLIC COMMENT:**

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

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

**BILLS TO BE PAID:**

On motion of Councilman Talamini, seconded by Councilman Knapp, 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, Pignatelli, Talamini, Van Eck.

**MOVE TO EXECUTIVE SESSION:**

On motion of Councilman Knapp, seconded by Councilman Biale, 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:  
Public Health and safety

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, Pignatelli, Talamini, Van Eck.

Discussion ensued over public health and safety matters. No action taken.

**CLOSE EXECUTIVE SESSION:**

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

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

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the meeting be adjourned at 9:02 pm.

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

*Lisa M. Duncan*

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Lisa M. Duncan, Borough Clerk  
December 9, 2020

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Date Approved

*Linda H. Schwager*

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Mayor Linda H. Schwager