

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA ZOOM VIDEO CONFERENCE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 27, 2021

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Pignatelli, 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:
PBA Grievance Arbitration, Personnel
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 the PBA grievance arbitration. 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 7:36 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: 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, 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.

MAYOR'S REPORT:

Mayor Schwager announced that tonight is the last meeting for Councilman Knapp who formally resigned. He will be missed by everyone. Mayor Schwager commented that he was Fire Chief when she became Mayor and he was her mentor. They served on the Planning Board together. She wished him success. Mayor Schwager explained that pursuant to State statute, Councilman Knapp's seat will be replaced by a Republican. The Republican County Committee will submit three names to the Council and the Council will vote to fill the seat. That person will have to run in the November election for the unexpired seat. Mayor Schwager has received emails and calls about the Covid vaccine. There are dozens of sites open but there is limited vaccine. Orange and Rockland will have a tree contractor, Nelson Tree Service, performing preventative vegetation maintenance in the near future. Mayor Schwager read a certificate for Councilman Knapp.

Mr. Chewcaskie stated that the sewer group has retained an attorney. It is his understanding that they are seeking to schedule a meeting next week. He advised that any further communication should go through the two attorneys.

OPENED FOR PUBLIC COMMENT:

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

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

Alison Fleeson, 59 Seton Hall Drive and co-chair of the Green Team, wanted to clarify what the Green Team is. Through the efforts of the Green Team, they achieved Silver certification from Sustainable Jersey. She spoke of the goals of Sustainable Jersey. The Green Team gets points from actions to be used toward certification. The members of the Green Team have diverse interests. They worked on the community garden, Roots for Rivers, and will work on the streetscape. The members are passionate about recycling, the arts, community wildlife education. She hopes the Mayor and Council will continue to support and will vote to reinstate the Green Team.

Katrine Beck, 8 Chapel Hill, stated that counsel was retained because the sewer users have been trying to communicate with the Governing Body for over a year with no response. There are resolutions tonight for grants to be used for other residents. She is not sure why the Borough is

not helping the sewer residents. There is no lawsuit so the Governing body should speak to the sewer users.

Salma Shamy, 3 Highlands Cross, loved the composting initiative and wanted to propose that the town expand the program. She suggested an educational outreach and maybe discounts to residents to hold rainwater. She also proposed an informal educational program on how to build a home food garden. She asked if residents are allowed to have small animals such as quail to use as food.

Rachel Gregory, 2 Kiowa Terrace, asked if Councilman Biale can give updates on sewers.

Benjamin Wagman, 10 Mt. Lakes Rd, asked if there have been any budget meetings with respect to discussing the sewer fines.

CLOSED FOR PUBLIC COMMENT:

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

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

APPOINTMENTS:

RECREATION COMMISSION:

Mayor Schwager reappointed Brian Hagerman to a five-year term on the Recreation Commission. The term will expire December 31, 2025. Mayor Schwager appointed Mike Bleeker to fill an unexpired term to expire December 31, 2021.

COMMUNICATIONS COMMISSION:

Mayor Schwager brought forth the nomination of David Dorsi to fill an unexpired term on the Communications Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of David Dorsi to fill an unexpired term on the Communications Commission. The term will expire December 31, 2022.

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

PARK COMMITTEE:

Mayor Schwager brought forth the nominations of Mike Guadagnino, Lee Haymon, Steve Saliani, Nancy Larkin, Sandra Coira and Peter Kikot for reappointment to the Park Committee.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the Council consented to the reappointment of Mike Guadagnino, Lee Haymon, Steve Saliani, Nancy Larkin, Sandra Coira and Peter Kikot to the Park Committee for a one-year term to expire December 31, 2021.

Councilman Talamini asked why all the terms expire at once. Mr. Kunze advised that the Great Oak Park Committee was conceived as a temporary committee so the decision was made not to make it a standing committee. Councilman Talamini asked who the park will fall under when it is done. Mr. Kunze responded that it would be like a recreation facility so Recreation Commission and potentially Environmental Commission as well. Councilman Knapp advised

there may only be one more year left for the committee. The park would probably fall to Recreation Commission, Public Events and Environmental Commission. The Park Committee itself will be done once the dog park and the bandshell are complete.

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

ENVIRONMENTAL COMMISSION:

Mayor Schwager brought forth the nomination of Tony Bertuna to an unexpired term, Michael Miner for appointment as Alternate 1 and Karen Lanza for appointment to an unexpired term as Alternate 2 on the Environmental Commission.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the Council consented to the appointment of Tony Bertuna to an unexpired term to end December 31, 2022, the appointment of Michael Miner as Alternate 1 for a term to expire December 31, 2022 and Karen Lanza as Alternate 2 for an unexpired term to expire December 31, 2021.

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

MUNICIPAL ALLIANCE:

Mayor Schwager brought forth the nomination of Sean Bowe, Dina Suriano, Jacquelyn Christiano, Alyson Dietrich, Matthew Bushta, Lisa Ambrose, Arielle Preciado and Nathan Busker to the Municipal Alliance Committee.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointments of Sean Bowe, Dina Suriano, Jacquelyn Christiano, Alyson Dietrich, Matthew Bushta, Lisa Ambrose, Arielle Preciado and Nathan Busker to a one-year term on the Municipal Alliance Committee.

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

EMERGENCY MANAGEMENT:

Mayor Schwager appointed the following to a one-year term on Emergency Management:

Emergency Management Coordinator	Roy Bauberger, 3 Year Term to 12/31/22
Deputy Coordinator	Tim Ryan
Deputy Coordinator	Leonard Tanis
Deputy Coordinator	Anthony Marcucilli
Police Liaison	Chief Keith Sanzari
Police Liaison	Sgt. Keith Docwra
Fire Liaison	Chief Lewis Thurston
Fire Liaison	Asst. Chief Vinny Dies
Fire Liaison	Asst. Chief Vincent Incorvaia
First Aid Liaison	Chief Jeff Marcheso
COVID Coordinator	Matt Goodrich
Mayor	Mayor Linda H. Schwager
Council Liaison	Councilman Eric Kulmala
Borough Administrator	Richard Kunze
Assistant to the Administrator	Michael Carelli
Shelter Coordinator	Don Broek

Construction Code Official	John Wittekind
DPW Equipment Operator	Jason Duncan
DPW Municipal Damage Assessment	Scott Ciccarella
Local Board of Education	Principal Sean Bowe
Local Board of Education	Robert Jacod
Local Board of Education	Joe Tumminia
Regional board of Education	Charles Wolff
Technology Resources	Erin Bauberger
Board of Health Liaison	Steve Tiffinger
Animal Rescue Coordinator	Tony Smid
Sara 3 Representative	Doug Brown
Local Resources	Dave Potash
Asst. Drill & Cleanup Coordinator	Dan D'Elia

APPROVAL OF MINUTES: JANUARY 6, 2021 OATH OF OFFICE

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the minutes from the Mayor and Council Oath of Office meeting of January 6, 2021 be approved.

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

APPOINTMENT-ALTERNATE PUBLIC DEFENDER

Mayor Schwager brought forth the nomination of Sophy Sederat as Alternate Public Defender. Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Sophy Sederat as Alternate Public Defender.

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

RESOLUTION 21-37 RE-ESTABLISH GREEN TEAM

Councilman Knapp stated he was distracted during the last meeting when the resolution came up regarding Green Team and he didn't realize no one was making a motion for the resolution. He spent the last week and a half researching what the Green Team does. He advised there are 457 municipalities in NJ that are registered as having a Green Team. 155 have achieved bronze level certification and 62, including Oakland, have achieved silver certification. There are grant opportunities and over the last one and a half years, the Green Team has obtained \$45,000 in grants for the Borough. Councilman Knapp is baffled that their 2020 liaison did not speak up to make a motion for the resolution. This group of individuals want to do things for the Borough at no cost.

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 recognize the need to take actions to ensure environmental quality, conserve natural resources, foster energy efficiency, promote health and wellness, support and develop the local economy, and reduce costs, all as a way of improving the quality of life for Oakland's residents and ensuring the long term economic, environmental and social sustainability of the community; and

WHEREAS, Sustainable Jersey is an initiative of the New Jersey State League of Municipalities, Rutgers University, the College of New Jersey, the NJ Department of Environmental Protection, the New Jersey Board of Public Utilities, and a coalition of NJ non-profits, state agencies, and experts in the field; and

WHEREAS, Sustainable Jersey identifies programs that municipalities can implement and provides guidance to help accomplish these programs; and

WHEREAS, the Borough of Oakland created the Green Team in 2009 and achieved bronze level certification as a 'Sustainable Community' in 2011, 2014, 2017, 2018, and 2019 and achieved silver level certification in 2020.

WHEREAS, there is a continuing need for the Green Team to help the Borough focus on sustainability issues.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough Oakland that it does hereby re-establish the Oakland Green Team, that said committee shall meet at least quarterly and shall consist of at least five members, appointed annually.

NOW THEREFORE BE IT FURTHER RESOLVED, that the membership of the Committee shall be comprised of the following:

- Five Full Voting Members, who shall be residents of the Borough, with one of the members serving as the Chair of the Committee.
- Council Liaison, ex-officio
- Borough Administrator or his designee, ex-officio
- Such other ex-officio Associate Members that the Council may appoint, including but not limited to representatives from the Environmental Commission, Board of Health, Board of Education, Business Community, Shade Tree Commission, and Planning Board.

NOW THEREFORE BE IT FINALLY RESOLVED, that the purposes of the Oakland Green Team are as follows:

1. To generally advise the Mayor and Council on 'greening' and sustainability matters
2. To solicit grants, with Council approval
3. To research and evaluate, or coordinate the research and evaluation of 'sustainable' actions that would be beneficial to the Oakland Community
4. To develop and coordinate the implementation of actions as outlined by Sustainable Jersey that will maintain the Borough's silver level certification. To that end, the Green Team may establish subcommittees as needed to carry out specific actions or focus on specific areas of interest.

Councilman Pignatelli advised that Councilman Knapp was appointed the liaison this year and he did not want to interfere in Councilman Knapp's committee. Councilman Knapp responded he didn't even know until last meeting he was going to be the liaison. He stated that Councilman Pignatelli as 2020 liaison should have spoken up for the Green Team. Councilman Van Eck still has concerns. He feel there is redundancy and looked into merging Green Team with Shade Tree

and Environmental Commission. He spoke about feedback from people regarding what they termed as bullying by the Green Team on various projects. He asked if anyone would be willing to table this to discuss concerns with other community leaders. Mayor Schwager stated this group of people is so dedicated and have worked so hard for the Borough. She stated they are very passionate about what they do. Councilman Kulmala asked if there was an intervention last year between an organization and the Green Team. Mayor Schwager advised it was Environmental Commission not Green Team. Councilman Van Eck stated the problem is Environmental Commission is not functioning properly. Councilman Knapp understands Councilman Van Eck's concerns. However, it seems that he is picking on people on the Green Team. The question is does the Council want the Green Team. The Borough is getting awards because of the Green Team. Councilman Pignatelli advised there are stringent requirements to get credit for points. Councilman Eck made a motion to table and there was no second.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Pignatelli, Talamini.
Nays, Councilmembers Kulmala, Van Eck.

APPOINTMENTS TO GREEN TEAM:

Mayor Schwager made the following appointments for a one-year term on Green Team: Alison Fleeson, Carol Peterson, Nancy Krause, Andrea Levy, Rachel Spina, Dana Andro, Maria Glasson, Sarah Michel, Brian Reilly, Courtney Carbone, Patricia Weiman.

RESOLUTION 21-61 AUTHORIZE AGREEMENT-BOROUGH ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Borough Attorney** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Attorney and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Brian M. Chewcaskie of the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Brian M. Chewcaskie and the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC to serve as the Borough Attorney for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Attorney be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount exclusive of work funded through applicants' escrow and Borough Capital Accounts, shall not exceed \$ 110,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that \$ 45,000 is available in Account # 1-01-20-155-027 (retainer) , \$ 45,000 is available in Account #1-01-20-155-028 (general legal services) and \$ 20,000 is available in Account # 1-01-55-904-001; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-62 AUTHORIZE AGREEMENT-BOROUGH ENGINEER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Engineer** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Engineer; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Engineer and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Kevin Boswell of the firm of Boswell Engineering will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Borough Council has nominated Kevin Boswell and the firm of Boswell Engineering to serve as the Borough Engineer for the year 2021 and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Engineer be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$25,300 (\$15,300) retainer and \$ 10,000 allowance for minor engineering projects billed on a time and material basis) without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #1-01-20-165-021 \$ 15,300 and Account# 1-01-20-165-100 \$ 10,000; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-63 AUTHORIZE AGREEMENT-BOROUGH AUDITOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Auditor** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Auditor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Auditor and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Gary Vinci of the firm of Lerch, Vinci & Higgins, LLP will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Mayor has nominated Gary Vinci and the firm of Lerch, Vinci & Higgins, LLP to serve as Borough Auditor for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Auditor be and is hereby appointed for the year 2021 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Auditor for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount, excluding work charged to the Borough's various Capital accounts set forth in their contract, shall not exceed \$37,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 1-01-20-135-028; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereto.

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

RESOLUTION 21-64 AUTHORIZE AGREEMENT-BOROUGH PLANNER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Planner** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Planner; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Planner and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Steve Lydon of the firm of Burgis Associates will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Borough Council has nominated Steve Lydon and the firm of Burgis Associates to serve as Borough Planner for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Planner be and is hereby appointed for the year 2021 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Planner for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 9,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account# 1-01-20-165-022 ; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-65 AUTHORIZE AGREEMENT-LABOR ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Labor Attorney** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Labor Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Labor Attorney and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Matthew J. Giacobbe of the firm of Cleary Giacobbe Alfieri Jacobs LLC will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Council has nominated Matthew J. Giacobbe and the firm of Cleary Giacobbe Alfieri Jacobs LLC to serve as the Borough's Labor Attorney for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Labor Attorney be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Labor Attorney for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 30,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 1-01-20-155-029; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-66 AUTHORIZE AGREEMENT-BOND COUNSEL

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Bond Counsel** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Bond Counsel; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Bond Counsel and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Steven Rogut of the firm of Rogut McCarthy will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Steven Rogut and the firm of Rogut McCarthy to serve as the Borough's Bond Counsel for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Bond Counsel be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the CFO will certify to the availability of funds, said funds to be encumbered from various capital accounts pursuant to Section 20 of the Local Bond Law, prior to any payment; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-67 AUTHORIZE AGREEMENT-WATER & SEWER ENGINEER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Water & Sewer Engineer** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Water & Sewer Engineer; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Water & Sewer Engineer and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Kevin Boswell of the firm Boswell Engineering, Inc. will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Borough Council has nominated Kevin Boswell and the firm of Boswell Engineering, Inc. to serve as the Water & Sewer Engineer for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Water & Sewer Engineer be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Water & Sewer Engineer for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the contract amount shall not exceed \$ 20,000.00 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 1-05-55-502-028 -\$15,000 and Account # 1-07-55-501-029- \$ 5,000; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-68 AUTHORIZE AGREEMENT-RISK MANAGER-HEALTH BENEFITS
On motion of Councilman Biale, seconded by Councilman Knapp, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Health Insurance for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Health Benefits and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that the firm of The Vozza Agency will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated the firm of The Vozza Agency to serve as the Risk Manager for Health Insurance for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that based on the current design of the Borough's Health Benefits program, compensation shall be as follows:

- The amount of \$ 39.23 per employee/retiree per month for medical and prescription coverage and \$ 4.97 per employee/retiree per month for dental coverage with payment being made to The Vozza Agency directly by the Bergen Municipal Employee Benefits Fund.
- Commission on the Life premium of 7.5% with payment being made to the Vozza Agency by the carrier.
- Commission on the Short Term Disability Premium of 10% to be paid directly by the carrier.
- Commission on the Long Term Disability premium of 15% to be paid directly by the carrier.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-69 AUTHORIZE AGREEMENT-RISK MANAGER-PROPERTY & CASUALTY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Property Insurance, Liability Insurance and Workers Compensation- and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that the firm of Brown & Brown will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated the firm of Brown & Brown to serve as the Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the compensation to Brown & Brown shall be 6% of the Borough's Joint Insurance Fund Annual Assessment, as per the fund's by-laws, and payment shall be made to Brown & Brown directly by the Bergen County JIF; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-70 AUTHORIZE AGREEMENT-BOROUGH PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Prosecutor** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Prosecutor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Prosecutor and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Andrew M. Cimiluca, P.C., will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Andrew M. Cimiluca, P.C. to serve as the Borough's Borough Prosecutor for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Prosecutor be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 18,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #1-01-25-275-021 ; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-71 AUTHORIZE AGREEMENT-ALTERNATE PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of an **Alternate Borough Prosecutor** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Alternate Borough Prosecutor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select an Alternate Borough Prosecutor and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Andrew Roth of Giannantonio & Roth will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Andrew Roth to serve as the Borough's Alternate Borough Prosecutor for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Borough Prosecutor be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 2,700 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 1-01-25-275-021; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-72 AUTHORIZE AGREEMENT-PUBLIC DEFENDER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Public Defender** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Public Defender; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Public Defender and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Dianne D'Allessandro will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Dianne D'Allessandro to serve as the Borough's Public Defender for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Public Defender be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 7,200 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #1-01-43-495-021; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

RESOLUTION 21-73 AUTHORIZE GRANT APPLICATION-NJ TRANSIT

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

WHEREAS, the Borough of Oakland is interested in expanding its transportation services for Oakland Senior Citizens; and

WHEREAS, the NJ Transit has a Mobility of Seniors Grant Program and the Borough of Oakland wishes to make application to obtain a new 16 passenger Extended Cutaway Bus for the Senior Center Transportation Program;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the grant submittal to the NJ Transit Enhanced Mobility of Seniors Grant Program for a new 16 passenger Extended Cutaway Bus.

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

RESOLUTION 21-74 AUTHORIZE GRANT APPLICATION-FIREHOUSE SUBS

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

WHEREAS, the Borough of Oakland is interested in submitting a grant application to the Firehouse Subs Public Safety Foundation Grant Program requesting funding of \$ 7,391.00 for a new APX8500 Motorola All Band MP Mobile Radio System for the Fire Chief's Vehicle;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Administrator to submit the grant application to the Firehouse Subs Public Safety Foundation Grant Program.

Councilman Van Eck commented this is an incredible idea. He thinks the Borough should expand initiatives and look for as many opportunities as we can.

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

RESOLUTION 21-75 AUTHORIZE CDBG GRANT APPLICATION

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

WHEREAS, a Bergen County Community Development Block Grant of \$684,004.85 has been proposed by the Borough of Oakland for a Water Main Replacement and Road Improvement Project on Acorn Avenue, Birch Avenue, Florence Avenue, and section of West Oakland Avenue in the municipality of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization of the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Oakland; and

WHEREAS, this resolution does not obligate the financial resources of the municipality, and is intended solely to expedite expenditures of the aforesaid Community Development funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oakland hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION 21-76 CHAPTER 159-BODY ARMOR GRANT AWARD

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

WHEREAS, the Borough of Oakland has been awarded a State of New Jersey Body Armor Replacement grant in the amount of \$2,218.72 for the purchase of body armor for members of the police department and wishes to amend its 2021 budget to include this amount as a revenue,

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

Miscellaneous Revenues:
 Special Items of General Revenue Anticipated with Prior Written
 Consent of Director of Local Government Services - Public and
 Private Revenues Offset with Appropriations:
 Body Armor Grant.

BE IT FURTHER RESOLVED that a like sum of \$2,218.72 be and the same is hereby appropriated under the caption of:

General Appropriations:
 (A) Operations - Excluded from "CAPS"
 Public and Private Appropriations Offset by Revenues:

Body Armor Grant State

Other Expenses - \$ 2,218.72

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

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

RESOLUTION 21-77 AUTHORIZE 2021 EMPLOYEE WELLNESS PROGRAM

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

WHEREAS, the Municipality is a member of the Bergen Municipal Health Insurance Fund; and

WHEREAS, the Bergen Municipal Health Insurance Fund is establishing an employee wellness program for its member municipalities, known as the Bergen Municipal Health Insurance Fund Employee Wellness Program; and

WHEREAS, the purpose of the employee wellness program is to encourage healthier lifestyle choices for employees, improve employees' knowledge regarding health, and improve the overall health of employees of the member municipalities; and

WHEREAS, the employee wellness program will proceed in Phase III for 2021 as detailed in the Wellness Program Announcement Letter and Employee Wellness Agreement, appended hereto; and

WHEREAS, the Borough Council supports the purposes of the employee wellness program and seeks to participate in the program to support the good health of its employees; and

WHEREAS, Oakland received a \$10,000 grant from the Bergen Municipal Health Insurance Fund to start their Employee Wellness Program;

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

1. The Municipality is hereby authorized to participate in the Bergen Municipal Health Insurance Fund Employee Wellness Program.
2. The Municipal Administration is hereby authorized to take any necessary actions to facilitate participation in the Employee Wellness Program, including, but not limited to, requiring participating employees to review and execute the Wellness Program Announcement Letter and Employee Wellness Agreement. The Municipality shall take all necessary actions immediately to implement the Employee Wellness Program.
3. Full time employees that waive their health benefits are eligible to participate in the Employee Wellness Program if they choose to.
4. The Borough acknowledges and agrees that Phase II, ending December 31, 2021, will require the Municipality to commit to and provide a point system incentive of \$5 per

point for each participating employee. These incentives will be at the sole cost and responsibility of the Municipality.

5. A copy of this Resolution shall be forwarded to the Municipal Clerk of the Municipality

This Resolution shall take effect immediately.

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

RESOLUTION 21-78 QUALIFICATIONS OF FIRMS FOR ENGINEERING SERVICES

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

WHEREAS, the Borough of Oakland has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of a Borough Engineer and Water and Sewer Engineer; and

WHEREAS, the Borough issued a Request for Qualifications for those positions on November 6, 2020; and

WHEREAS, the Borough received responses to the Request for Qualifications for the aforementioned positions by the deadline of December 4, 2020 from the following firms:

Boswell Engineering-South Hackensack, NJ
Suburban Consulting Engineers-Flanders, NJ
Neglia Engineering Associates-Lyndhurst, NJ

WHEREAS, the Administration Subcommittee convened to evaluate the Request for Qualifications; and

WHEREAS, the Borough structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Borough intended to qualify persons and/or firms that (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering services, and (ii) would agree to work under the compensation, terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of Oakland; and

WHEREAS, pursuant to the Borough's Request for Qualifications, the Borough's objective was to select an organization or individual that would provide high quality and cost effective services to the Borough of Oakland and its citizens; and

WHEREAS, pursuant to the Borough's Request for Qualifications, the Borough applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the borough and the subject matter addressed under the contract; (iii) availability to accommodate the required meetings of the Borough; and (iv) other factors demonstrated to be in the best interest of the Borough.

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

1. The Borough of Oakland hereby designates the following as qualified to provide Borough Engineer and Water & Sewer Engineer services:
 - Boswell Engineering-South Hackensack, NJ
 - Suburban Consulting Engineers-Flanders, NJ
 - Neglia Engineering Associates-Lyndhurst, NJ
2. This resolution shall take effect immediately upon adoption.

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

RESOLUTION 21-79 AUTHORIZE AGREEMENT-WELL BABY CLINIC

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

WHEREAS, N.J.S.A. 40A:8A-1, known as the "Interlocal Services Act", authorizes agreements between local units for any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Oakland and Waldwick and their respective Boards of Health have determined that it is in their best interests to enter into an Interlocal Service Agreement for providing certain services to infants and pre-school children that reside in Oakland through the Waldwick Well-Baby Clinic as mandated by the Public Health Council of the State of New Jersey; and

WHEREAS, in consideration of the services to be performed herein, Oakland shall be assessed a one-time administrative fee of \$ 125.00, payable upon execution of the contract, and a \$ 35.00 per child fee for examinations and a \$ 20.00 per child fee for immunizations only, to be billed directly by the medical provider; and

WHEREAS, the Chief Financial Officer has determined that funds are available in Account # 1-01-27-330-150;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute the agreement for Interlocal Services with the Borough of Waldwick for services with the Waldwick Well-Baby Clinic effective until December 31, 2021.

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

RESOLUTION 21-80 AUTHORIZE LICENSE BOROUGH PROPERTY

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

WHEREAS, the Borough has received a request to license Borough owned property adjacent to 42 Riverside Drive; and

WHEREAS, the Superintendent of Public Works and Zoning Officer have reviewed the request and they recommend the issuance of the license for the year 2021;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Clerk to issue a license for the Borough property adjacent to 42 Riverside Drive to Andrea Lewis, 42 Riverside Drive, subject to the rules and regulations specified in Resolution 21-20 adopted on January 13, 2021.

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

RESOLUTION 21-81 RESOLUTION TO OPPOSE S3095

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

WHEREAS, the New Jersey State Senate introduced Bill No. 3095 on November 5, 2020; and

WHEREAS, Bill No. 3095 establishes an alternate inspection process, under the State Uniform Construction Code Act, for property owners willing to pay a premium fee to expedite inspections; and

WHEREAS, under Bill No. 3095 an applicant for a construction permit may opt to pay a premium fee to have inspections done under the permit performed on an expedited basis, i.e. within two calendar days of the time requested for an inspection. An applicant would also exercise this option at the time of submitting an application for a construction permit; and

WHEREAS, the proposed legislation seeks to subvert established current legal precedent by which the proposed legislation permits applicants to self-elect an expedited inspection process; and

WHEREAS, the proposed legislation will place a significant financial burden on municipalities and taxpayers alike as it cuts off the most significant stream of municipal revenue and diverts those funds entirely to the State of New Jersey and private interests; and

WHEREAS, the proposed legislation appears to be influenced and backed by special lobby groups including those associated with the Construction industry; and

WHEREAS, the proposed legislation is opposed by the NJMMA, GFOA and the League of Municipalities;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby opposes NJ State Senate Bill No. 3095 as it would create undue barriers of inequity, place further financial burden on municipalities and increase the tax burden for the residents of the Borough of Oakland and residents of the State of New Jersey.

BE IT FURTHER RESOLVED, a certified copy of this resolution be forwarded to Governor Murphy, Senator Cardinale, Assemblyman Auth and Assemblywoman Schepisi.

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

RESOLUTION 21-83 AUTHORIZE AGREEMENT-FLOODPLAIN MANAGER

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

WHEREAS, the Borough of Oakland is in need of the services of a Floodplain Manager for 2021; and

WHEREAS, Agnoli Engineering has submitted a proposal dated January 15, 2021 for the services required; and

WHEREAS, Agnoli Engineering has complied with the Borough of Oakland's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012; and

WHEREAS, 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 #1-01-20-165-100;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby award a contract to Agnoli Engineering in an amount not to exceed \$ 12,000; and

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

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

RESOLUTION 21-84 AUTHORIZE REIMBURSEMENT AGREEMENT-OAK CREST CONDO ASSOCIATION

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

WHEREAS, in 2014 the Borough of Oakland entered into an agreement with Oak Crest Condominium Association for Municipal Services for snow removal and street lighting pursuant to the provision of N.J.S.A. 40:67-23.2; and

WHEREAS, the agreement has expired and the Borough and Condominium Association wish to renew the agreement for an additional five year period commencing January 1, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement by and between the Borough and Oak Crest Condominium Associates providing for a five year payment agreement for snow removal and street lighting; and

BE IT FURTHER RESOLVED that the total yearly cost to the Borough to be paid to the Condominium Association for the reimbursement of these services is \$1,350.00; and

BE IT FURTHER RESOLVED that a copy of this agreement shall be maintained by the Borough Clerk for public inspection.

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

RESOLUTION 21-85 AUTHORIZE AGREEMENT-SEWER COUNSEL

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

WHEREAS, the Borough of Oakland is interested in pursuing discussion with the Northwest Bergen County Utilities Authority for sewer service; and

WHEREAS, it is necessary to seek special counsel to represent the Borough of Oakland in this matter; and

WHEREAS, the Borough has received a proposal from John Napolitano and the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC at a cost not to exceed \$25,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #1-01-20-155-028; and

WHEREAS, this contract is for professional service for which no public bidding is required; and

WHEREAS, Cleary, Giacobbe, Alfieri and Jacobs, LLC has complied with the Borough's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to John Napolitano of Cleary, Giacobbe, Alfieri and Jacobs, LLC in an amount not to exceed \$25,000.00; and

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

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

RESOLUTION 21-86 AUTHORIZE AGREEMENT-TAX MAP MAINTENANCE

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

WHEREAS, the Borough must update its tax maps annually; and

WHEREAS, the Tax Assessor and Borough Administrator have recommended that Civil Solutions be retained to provide tax map updates, in accordance with their proposal; and

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Civil Solutions to provide 2021 Tax Map Maintenance services for the Borough; and

WHEREAS, Civil Solutions will provide the services at a cost not to exceed \$ 5,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # 1-01-20-150-104; and

WHEREAS, the aforesaid award of contract is an exemption to the public bidding laws and one for professional services, for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Civil Solutions to provide Tax Map Maintenance Services for an amount not to exceed \$ 5,000.00.

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

RESOLUTION 21-87 AUTHORIZE AGREEMENT-TAX APPEAL ASSISTANCE

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

WHEREAS, the Borough wishes to appoint an expert for 2021 Tax Appeal Assistance; and

WHEREAS, the Tax Assessor and Borough Administrator have recommended that Integra Realty Resources be retained to provide Tax Appeal Assistance, in accordance with their proposal; and

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Integra Realty Resources to provide 2021 Tax Appeal Assistance services for the Borough; and

WHEREAS, Integra Realty Resources will provide the services at a cost not to exceed \$ 20,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #1-01-55-904-001; and

WHEREAS, the aforesaid award of contract is an exemption to the public bidding laws and one for professional services, for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Integra Realty Resources to provide Tax Appeal Assistance services for an amount not to exceed \$ 20,000.00.

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

RESOLUTION 21-88 AUTHORIZE AGREEMENT-AFFORDABLE HOUSING
ADMINISTRATION

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

WHEREAS, the Borough of Oakland needs to retain a firm to administer its Affordable Housing Program for 2021; and

WHEREAS, Community Grants, Planning & Housing, 1249 South River Road, Suite 301, Cranbury, NJ 08512, has submitted a proposal to act as Affordable Housing Administrative Agent for the Borough of Oakland for the year 2021 at a cost not to exceed \$ 7,000; and

WHEREAS, Community Grants, Planning & Housing has submitted all paperwork to comply with the Borough of Oakland's Pay-to-Play requirements; and

WHEREAS, this contract is for a professional service for which no public bidding is required; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # T-27-26-286-002;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Community Grants, Planning & Housing to act as Affordable Housing Administrative Agent at a cost not to exceed \$ 7,000; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to sign the contract on behalf of the Borough.

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

RESOLUTION 21-89 AUTHORIZE RECREATION REFUND

On motion of Councilman Biale, seconded by Councilman Knapp, 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:

Cruciata Family, 485 Ramapo Valley Road, Oakland, NJ, amt. \$ 73 (Rec Basketball)

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

INTRODUCTION: ORDINANCE NO. 21-CODE-821 MAILBOX STORM DAMAGE POLICY

The Clerk was directed to take from table Ordinance No. 21-Code-821 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-821 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND ENTITLED "STREETS, SIDEWALKS, PUBLIC RIGHTS-OF-WAY AND SANITATION" TO INCLUDE SECTION 12-5.1A ENTITLED "MAILBOX DAMAGE DUE TO SNOW PLOWING"

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 Amending And Supplementing Chapter 12 Of The Revised General Ordinances Of The Borough Of Oakland Entitled "Streets, Sidewalks, Public Rights-Of-Way And Sanitation" To Include Section 12-5.1a Entitled "Mailbox Damage Due To Snow Plowing", be introduced;

That said Ordinance be considered for final adoption at a meeting on February 10, 2021 held via Zoom video conference at Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before February 1, 2021 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.

FINAL PUBLIC HEARING: ORDINANCE NO. 21-CODE-819 AMEND TRAFFIC ORDINANCE-MONHEGAN AVE. PARKING

The Clerk was directed to take from the table Ordinance No. 21-Code-819 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII "TRAFFIC", SECTION 14 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREET OF THE CODE OF THE BOROUGH OF OAKLAND"

OPENED FOR PUBLIC COMMENT:

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

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

The Borough Clerk read the following comment from Michael D. Verost, 72 Algonquin Trail:

I am writing this in response to your letter that I received this morning regarding the purposed parking restrictions on Monhegan Ave. Although my address is 72 "Algonquin Trail," the front of my house faces Monhegan Ave. I also have the only driveway apron on Monhegan Ave. between Chicasaw Dr. and Algonquin Trail on either side of the road.

While I totally agree that a great part of this road is narrow and parking should not be permitted, I do not believe this should apply to the entire length. I have been a resident at this address for 23 years and have never had an issue with street parking on Monhegan Ave. The safety of pedestrians and children walking to and from Manito Elementary School is of utmost importance, as well as the safe passage of all vehicular traffic. However, I do not believe that guests parking on the East side of Monhegan Avenue while coming to my house poses an increased danger to anyone.

I believe the section of Monhegan Ave. between Chicasaw Dr. and Algonquin Trail has adequate width to allow parking on the East side of the street. The roadway between these two streets is 30', just as wide as Algonquin Trail, and also has pedestrian walkways (sidewalks) on both sides of the street. (see attached photos) For these reasons I believe you should reconsider eliminating street parking on this portion of Monhegan Ave. I appreciate your time and consideration of this matter, and look forward to hearing back from you.

Stephanie Tufaro, 67 Monhegan Avenue, hasn't seen any issues with parking on Monhegan Ave. She is concerned to have her family park on Manito Ave or Pawnee Ave. She would like more info.

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.

Mayor Schwager advised a couple of residents called her about the parking on Monhegan. She had the Police Chief and Traffic Officer go there again. According to the Police Chief, he spoke about parked vehicles being too close to the crosswalk and stop sign which is illegal. Councilman Pignatelli advised that this has been looked at more than once by the Police Department. He read an email from the Police Chief explaining the reasoning. Councilman Pignatelli feels the Council should move forth with this ordinance. Councilman Van Eck stated he went and looked at Monhegan Ave. and he agreed with what the Police Chief recommends. Mayor Schwager cited the statutes which state you cannot park within 25 feet of a crosswalk nor within 50 feet of a stop sign. Councilman Kulmala asked how many people this affects. Mr. Kunze explained that there are currently two provisions in the Borough code for Monhegan Ave. One bans parking on the entirety of Monhegan Ave. and the one which we are looking to delete that allows parking on one side. This is being done to clarify that there is no parking on Monhegan Ave. at all. Councilman Talamini asked what precipitated this. Mr. Kunze responded there have been accidents with cars being sideswiped and the Traffic Officer has been looking at the Code and noticed the discrepancy. Councilman Kulmala asked if the Traffic Officer can join the meeting to give background. Mr. Chewcaskie advised that this ordinance is being done at the recommendation of the Police Chief because of an inconsistency in the Code book. The Police Chief and Traffic Officer are recommending that parking be prohibited on both sides of the street. Councilman Pignatelli stated that the Police Chief and Traffic Officer have examined this issue

twice already. He has to support their decision. Councilman Knapp stated it is not the Council's job to interfere with the operation of the Police Department.

On motion of Councilman Pignatelli, 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, An Ordinance Amending And Supplementing Chapter VII "Traffic", Section 14 Entitled "Parking Prohibited At All Times On Certain Streets Of The Code Of The Borough Of Oakland", 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, Pignatelli, Talamini, Van Eck.

Mayor Schwager advised that the Public Safety Committee can review this again with the Police Chief and Traffic Officer.

WORK SESSION:

REGULATE BAMBOO:

Mr. Kunze advised that bamboo is a nuisance and other towns have regulated it. He wanted the Council to talk about addressing this before it becomes an issue. A sample ordinance from Mahwah has been distributed. Councilman Pignatelli stated that it is a very invasive plant. If it is planted on a property line, it will spread to both properties and be difficult to remove. Councilman Biale advised that on Darlington Ave, they needed bulldozers to remove bamboo because the roots travel and expand underground. Mayor Schwager asked who would enforce this. Mr. Kunze responded that in Mahwah, the property maintenance officer enforces the ordinance. Councilman Knapp asked if there have been complaints. Mr. Kunze responded we have received one complaint awhile back. Mayor Schwager asked if this is a Shade Tree issue. Mr. Kunze responded it is not. Councilman Pignatelli questioned why we would do something if we are not getting complaints. Councilman Knapp advised that there are enough laws already. Councilman Talamini would not support telling residents they cannot plant bamboo. Councilman Kulmala stated there is no reason to pass another law but this can be revisited if it becomes a problem.

CONTRACT WITH PLANNER FOR IMPLEMENTATION OF AFFORDABLE HOUSING PLAN:

Mr. Kunze advised that Burgis Associates has submitted a proposal to prepare the new Housing Element and Fair Share Plan as part of the Court Order for Affordable Housing compliance. That plan includes other documents for consideration that need to be done pursuant to the Court Order. The funding will come from the Affordable Housing Trust Fund. Mr. Chewcaskie reiterated that we are required to do this pursuant to the Court Order for compliance. A resolution will be listed on the next agenda.

LED SIGN STANDARDS:

Councilman Van Eck stated he still has concerns about the location of the digital sign and he wanted to discuss parameters such as turning the sign off at certain hours because of light pollution. He brought up advertising to help pay for the sign. Councilman Biale advised that advertising has been discussed for a long time in town down at the Rec fields and it has been

prohibited at the Rec fields. He thinks the digital sign should be for town information only. He has not seen other towns using their sign for commercial use. Mayor Schwager commented that the information would be timely for residents. Councilman Knapp agreed with dimming the sign at night or shutting it off. Councilman Biale responded that a decision can be made once the sign is installed and it is determined how bright it is. Councilman Pignatelli would like to see a list of rules so the Council can all agree on what is acceptable. Mayor Schwager asked who controls the sign. Mr. Kunze responded that his office and the Borough Clerk's office will control the sign. He advised that the Borough Engineer is scheduling a preconstruction meeting with the vendor. Borough Engineer John Yakimik advised that one of the schools put up an LED sign last year and the brightness was a concern of the Planning Board. There is technology so that the sign can be dimmed at certain times. Councilman Kulmala asked if this sign requires Planning Board approval and he was told it does not. Councilman Biale suggested looking at other town's rules for their signs.

DOG PARK FEES & RULES:

Mr. Kunze advised that the Dog Park committee has come up with a list of rules for the dog park and they have been reviewed by the Borough's risk manager. The committee is recommending a fee of \$ 10 for residents and \$ 20 for non-residents to be used for future upkeep and maintenance of the facility. Mayor Schwager asked if the fees and rules are reasonable. Councilman Biale thinks it is reasonable to charge a fee because of the upkeep and costs for items like disposable bags. Mayor Schwager asked who cleans up after the dogs. Councilman Pignatelli responded that the individual people pick up after their dogs. Ryan Schwertfeger, Chairman of the Dog Park committee, advised that the County parks do not charge for use but most towns charge. For instance, Pequannock, Ringwood and Wayne charge residents and out-of-towners to use the dog parks. He explained that he worked on the fees and rules with Recreation Chair Mike Guadagnino. The fees are reasonable. Mayor Schwager asked how the fees are collected. Mr. Schwertfeger advised that they plan to use the Community Pass system like Recreation does for registrations. Mr. Kunze explained it will be done like the tennis courts where registrants will be given a code for use of the park. Councilman Kulmala stated that the town is already charging residents for dog licenses and asked if it would make sense to only charge out-of-towners. Mr. Kunze responded it is against Green Acres rules. An ordinance will be introduced at the next meeting for the fees and a resolution will be listed to adopt the rules and regulations.

SAFE ROUTES TO SCHOOLS CONTRACT

Mr. Kunze advised that the Council has previously discussed the cost proposal for the engineering firm recommended by the State. The State has approved and funded Phase 1 for the design. The Borough is required to enter into a contract with the State for reimbursement. A resolution will be listed on the next agenda to authorize signing the agreement.

GRANT INFORMATION: PATRIOTS WAY BRIDGE

Mr. Kunze advised that there may be additional grant funding for the Patriots Way Bridge. The Borough has received three grants for \$ 1 million. The total project cost is \$ 4 million. He spoke about talking to a grant consultant. Mayor Schwager was contacted by Assemblyman Auth to meet with Bruno Associates. They spoke about grants for the Library, Stream House and sewers. This grant company charges a monthly fee. Councilman Kulmala thinks it is imperative to work with a grant company. It is foolish not to see if the Borough can get more grant money. Mr. Kunze advised that Bruno Associates charges one of their clients \$ 2,000 per month for their services. If you look at what they offer, it is what we currently do in-house. He explained we would want to use a grant company for outlier grants that we cannot do in-house. Councilman Pignatelli stated that when the Borough got one of the grants for the bridge in 2019, Senator Cardinale had advised that the Borough can apply for the 2020 allotment. Councilman Kulmala

asked if other grant companies are going to be looked at. Mayor Schwager suggested that Councilman Van Eck could look into various companies. Councilman Biale stated it would be a good idea to get other companies in to compare their services.

NEW BUSINESS:

Councilman Van Eck liked the idea of expanding programs similar to the composting program. Councilman Van Eck advised that he needs to meet with the Borough Attorney to craft an ordinance regarding breweries. Mr. Kunze advised he spoke with Councilman Van Eck about engaging the Borough Planner to do a report to address any issues.

OLD BUSINESS:

Councilman Van Eck advised that there is a problem with remote access for the bulletin boards. Mr. Kunze advised that instructions on access were given to the volunteers. He thought there was an issue with their devices.

Councilman Van Eck spoke about the sign by the Walgreens and Starbucks. Mr. Yakimik advised it is a zoning violation and the new Zoning officer will issue a violation.

Councilman Van Eck questioned the ordinance regulating chickens. Mr. Kunze responded that will come up in February for a work session item.

Councilman Eck spoke of the need for a traffic study. He stated that adaptive traffic controls in Oakland would make a world of difference. Mr. Yakimik will get a proposal for an adaptive system study in the downtown.

COUNCIL REPORTS:

Councilman Van Eck: He thanked the DPW for doing a great job keeping the town clear from snow. Recreation is investing in sod for Field 8. Baseball and softball sign ups are underway. The Recreation Commission will have their reorganization meeting Monday at 7:30 pm. The Shade Tree Commission is getting close with the new tree ordinances. The presentation by the Shade Tree Commission will be on the next meeting agenda. The Shade Tree Commission has ideas on an adopt a tree program. The Borough is deficient in replacing trees taken down. He explained that trees can be put on public land and they can be adopted. There are concerns about deer eating the new saplings and how to combat that in order to get our canopy where it needs to be. The OCC just met and received its first original music submission. The OCC is looking for volunteers. The next meeting will be March 1st.

Councilman Biale: The plans to decommission the sewer plants are under review by the I-Bank and comments are expected next week. The plans for the Skyview-Hibrook lining project are complete. There are a couple of issues with encroachments and easements that are being worked on. We hope to resolve them as quickly as possible. Councilman Biale plans to present all due diligence facts from now on. He hopes to represent not only sewer users but all residents as the Water & Sewer chair. The NJDEP will have a meeting on March 3rd regarding drinking water and it will be a dialogue with elected officials. He commented on the walk through that occurred in the downtown and questioned the signs that needed to be removed and he commented on the Chase Bank dumpster that is on Ramapo Valley Road. Now that the Stream House is down, Councilman Biale and the Mayor will host a meeting and put together a committee to discuss a new building to replace the Stream House. He wished Councilman Knapp good luck and stated it has been a pleasure to work with him.

Councilman Talamini: He would like a meeting of the Finance Committee to get a rough outline of the budget. He would like to be on the committee for the Stream House building. He thanked Councilman Knapp for his service and wished him luck in the future.

Councilman Kulmala: The Great Oak Park Committee held its reorganization. Mike Guadagnino is the Chairman, Lee Haymon is Vice-Chair and Sandra Coira is secretary. The Great Oak Park committee is working on the Bandshell and the Dog Park. The Planning Board met last Thursday and elected Tom Potash as Chairman. The Library Board met last week and Ronnie Levine is the Chair. There is a problem at the Library with a boiler that failed.

Councilman Pignatelli: The Senior Center was closed for a week and reopened January 11th. They offer Zoom and online classes. They are operating on winter hours Monday to Friday 9 am to 2 pm. Pre-registration is required for in-person classes. There will be a program on Alzheimers on February 11th. Line dancing has been postponed indefinitely. Ipads are available to borrow. Shopping trips are held weekly. The Books to Go program is being run in conjunction with the Library on Tuesdays. The Police Chief reminded residents of crime trends in Bergen County and asked residents to remain vigilant and report suspicious activity. Councilman Pignatelli is looking forward to working with the Police and Fire chief in 2021. He would like to continue the dialogue that Councilman Knapp had with these departments and other Public Safety departments. He wished Councilman Knapp good luck and thanked him for his service on the Fire Department and on the Council.

Councilman Knapp: The Fire Department had 24 calls in December for 102 hours. They had 373 calls for the year for a total of 2328 hours. The calls for the Fire Department were 50% of a normal year. The Fire Department lost two members to Covid and now the First Aid Squad lost member Linda Greenfield. The Fire Department secured a grant for SCBA packs and saved the Borough over \$ 200,000. The First Aid Squad had 46 calls in December for 1139 hours. They had 574 calls for the year for a total of 11471 hours. They normally have around 900 calls for the year. Councilman Knapp advised he will remain a member of the Oakland Fire Department as a life member. The Police Department had 343 motor vehicle stops and 23 radar details resulting in 461 summonses in December. Councilman Knapp stated his resignation is bittersweet because he did not intend to leave the Council or the Borough. However, he got a job opportunity that required him to relocate. He thanked his wife Andrea for allowing him to be on the Council. He thanked Rich Kunze, Lisa Duncan, Kathy Gurney and Michael Carelli at the Borough for being the glue of the town. He stated they do the behind the scenes work to help the Council. Councilman Knapp thanked Anthony Marcucilli and the DPW for doing a great job in this town. He thanked former Police Chief Kasper and Police Chief Sanzari for what they have done for the Police Department. Councilman Knapp stated there was an overhaul of the Police Department and he is very proud of the positive results. He thanked First Aid Chiefs Jeff Marcheso and Matt Goodrich, Fire Chiefs Dave Hutsebaut and Vinnie Dies and OEM coordinator Roy Bauberger for everything they do for the town.

Councilman Knapp stated that each of the Council members are passionate about what they do but they go about it differently. He stated that the point is to have different people on the Council to have different opinions. Councilman Knapp spoke to the public who complain on Facebook that the Council is not doing anything about 287. He spoke about the accidents that have happened since 287 was built and how the Borough has been trying for years to get the State to help. It has been an uphill battle and we have had Senator Cardinale and Assemblyman Auth fight for us. We have now taken it to the Governor's office. The people on Facebook who say the Borough is doing nothing are 100% wrong. He advised to people who are also complaining that nothing is being done on Skyline Drive, that the County will be putting non-slip pavement on

Skyline Drive and will groove the center line. He advised that he ran in 2016 on improving the downtown. The downtown is nowhere near his expectations but it takes money to get things done. The Council people care about the town.

Councilman Knapp stated that running for office is a commitment that few people can do. Both parties are struggling to get people in office but there should be 20 people running based on their comments on Facebook. He encouraged people to submit positive ideas instead of bashing the Council on Facebook. Councilman Knapp spoke to the sewer group. He understands their concerns but he thinks it is ridiculous that they say none of the Council are on sewers so the Council does not care. No one on the Council does any of the things that they govern. He explained that the Council does not need to be a part of things to understand it. He stated that the sarcasm of the sewer group is disheartening. Councilman Knapp wished everyone well and is always available to lend help or support.

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.

Mike Guadagnino, 34 Hopper Street, advised that the Park Committee was created to build Great Oak Park. The Dog Park Committee is meant to build the Dog Park. Then it will be transferred to the Recreation Commission to oversee and Ryan Schwertfeger will be the director. The Dog Park is not being built with taxpayer money and there needs to be money to maintain it. That is where the fee comes in. It is going to be handled like the tennis courts. The Great Oak Park Committee hopes to be done this year and then will disband. The Recreation Commission and Environmental Commission will run Great Oak Park.

Katrine Beck, 8 Chapel Hill, stated that the sewer group has always communicated with respect. She stated that the Mayor and Council need knowledge of the sewers to have empathy for the sewer users. She stated that people who bought houses with septic have the opportunity to maintain it. The sewer users have no control over the sewer system. She stated the Borough has gotten three grants for Patriots Way Bridge but none for the sewers. The town should hire a grant writer.

Benjamin Wagman, 10 Mt. Lakes Rd, asked the question if there was discussion in the 2021 budget meetings regarding the sewer fines. There needs to be engagement in public forums.

CLOSED FOR PUBLIC COMMENT:

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

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

Mayor Schwager stated that Finance Chair Talamini just called for a Finance meeting to go over the budget. There have been no budget meetings held yet but when the Council holds budget meetings, they will be open to the public.

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, Pignatelli, Talamini, Van Eck.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the meeting be adjourned at 10:46 pm.

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk

February 24, 2021

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager