

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY FEBRUARY 26, 2020

MEETING CALLED TO ORDER: By Mayor Schwager at 7:31 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Levy, Pignatelli, Van Eck. Absent: Councilman Talamini. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Nylema Nabbie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

MOTION TO EXCUSE ABSENCE:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the absence of Councilman Talamini be excused.

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

MAYOR'S REPORT:

Mayor Schwager advised that a new Police Officer is being sworn in tonight and the Indian Hills Academic Decathlon team is being honored. The Stream House will be dismantled later this spring. The Green Team will be involved in the FLOW Film Festival which will take place March 5th, March 9th and March 26th at the Wyckoff Library and March 20th at the Oakland Library. The Borough will hold a shredding day on May 2nd from 9 am to 1 pm sponsored by BCUA. The Bergen County Care Fair will be held May 3rd. The Easter Egg Hung will be held April 4th. FLOW Follies will be held next week at Ramapo High School. The proceeds are used for scholarships for seniors.

OPENED FOR PUBLIC DISCUSSION:

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

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

Frank Monaco, 60 Thackeray, commented that the Oakland calendar is excellent and he congratulated Councilman Van Eck on being elected to the Council.

Anthony Oliver, Hoboken Police Department, advised that Oakland is getting a phenomenal Police Officer with Steven Albert.

CLOSED FOR PUBLIC DISCUSSION:

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

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

RECOGNITION OF INDIAN HILLS ACADEMIC DECATHALON TEAM:

Mayor Schwager advised that the Indian Hills Decathlon team took first place in the ADNJ Region II competition. Mayor Schwager introduced Coach Michael Paravotti. The team took first place in the Super Quiz Relay. They earned various medals in individual competition. The members are: Lydia Park, Cora Mayer-Costa, Ariel Tkach, Grace Romitelli, Emily Salman, Victoria Boyce, Alexandra McCormick, Samuel Eilert, Aidan Chumas. Alternate members are Sofia Wuensch, Liz Weiner, Joe Park, Natalie Ambrose, Alexandra Masur and Rebecca Baik.

RESOLUTION 20-91 AUTHORIZE HIRE POLICE OFFICER-STEVEN ALBERT

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

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

WHEREAS, the Police Chief has recommended the appointment of Steven Albert pending the completion of the necessary pre-employment testing and background checks;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that Steven Albert be and is hereby appointed as a police officer for the Borough of Oakland, which appointment is effective February 26, 2020 and being made in accordance with the New Jersey Department of Personnel Certification of Eligibles for Appointment List, and his salary shall be at Step 6, \$ 80,320 in accordance with the current PBA contract.

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

APPOINTMENTS:

GREEN TEAM:

Mayor Schwager appointed Carol Peterson, Alison Fleeson, Marisol Kozlovski and Nancy Krause to the Green Team for a one-year appointment.

PUBLIC EVENTS:

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

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Brenda Groslinger Kulmala to a three-year term on the Public Events Committee. The term will expire December 31, 2022.

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

APPROVE RAFFLE LICENSE RL1385:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1385 for Indian Hills Parents Athletic Committee to hold an on-premise raffle for merchandise on March 21, 2020 at the Knights of Columbus, 7 Courthouse Place.

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

APPROVE RAFFLE LICENSE RL1386:

On motion of Councilman Biale, seconded by Councilman Levy, approval be granted for Raffle License RL1386 for Indian Hills Parents Athletic Committee to hold an on-premise 50/50 raffle on March 21, 2020 at the Knights of Columbus, 7 Courthouse Place.

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

Resolution 20-84 for the Liquor License Transfer is being carried to the first meeting in March.

RESOLUTION 20-86 AUTHORIZE BOSWELL-2020 ROAD PROGRAM

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

WHEREAS, the Borough of Oakland wishes to proceed with the 2020 Road Program; and

WHEREAS, the Borough of Oakland is in need of engineering services for the design and survey phase and construction inspection phases of the project; and

WHEREAS, Boswell Engineering has submitted a proposal January 30, 2020, and the fee for the design phase is \$ 46,300 and construction phase is \$ 107,00 for a total not to exceed amount of \$153,300; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-56-712-208 \$ 2,408.96, Account # C-04-56-761-100 \$ 88,151.47, Account #C-04-56-763-502 \$ 44,561.63, Account # C-04-56-787-311 \$ 18,177.94;

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

WHEREAS, the award of the contract is for a professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize Boswell Engineering to perform the design and survey services and construction inspection for the 2020 Road Program at a cost not to exceed \$ 153,300; 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, Levy, Pignatelli, Van Eck.

Resolution 20-87 is being carried.

RESOLUTION 20-88 IN-REM TAX FORECLOSURE-BLOCK 5002, L 38

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

BE IT RESOLVED by the Borough Council of the Borough of Oakland, Bergen County, State of New Jersey, that the Tax Sale Certificate as shown on the attached Tax Foreclosure List now held by the Borough of Oakland be foreclosed by the summary proceedings In Rem, and as described by N.J.S.A. 54:5-104.29 to 104.71 as amended, and pursuant to the rules of Civil Practice of the Superior Court of New Jersey.

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

RESOLUTION 20-89 APPROVE RECREATION BYLAWS

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland approve the Bylaws of the Oakland Recreation Commission as attached.

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

RESOLUTION 20-90 AUTHORIZE CONSENT TO TWA APPLICATION-A & E VENTURES

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

WHEREAS, an application has been made to the Borough of Oakland by A & E Ventures for the replacement of a malfunctioning septic system for the facility located at 101 Plaza Road.

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

The Mayor is hereby authorized to execute the necessary consent by Governing Body to be attached to the Treatment Works Application to be filed by A & E Ventures subject to the following:

- A. The construction shall conform to all applicable requirements of the Borough of Oakland and the Board of Health of the Borough of Oakland.
- B. The installation of all sewer lines and appurtenances shall be inspected and approved by the Borough of Oakland and/or the Borough of Oakland Board of Health.
- C. A & E Ventures shall pay for all engineering expenses incurred by the Oakland Board of Health and the Borough of Oakland for all inspections and testing of the sewer lines and/or appurtenances.
- D. A & E Ventures shall pay for the Borough's application fees, legal fees and other applications, administrative, technical or any other expenses relating to review of the project.

- E. Any manholes constructed or modified by reason of this project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock.
- F. Water conserving plumbing fixtures be installed in all new buildings constructed as part of this project.
- G. A & E Ventures shall comply with all conditions imposed by the Oakland Board of Health.
- H. A & E Ventures shall comply with all rules and regulations of the Borough of Oakland, the Oakland Board of Health and the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to A & E Ventures and the Oakland Board of Health.

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

RESOLUTION 20-92 AUTHORIZE AFG APPLICATION FOR SCBA PACKS

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

WHEREAS, the Oakland Fire Department needs to purchase 34 new SCBA packs at a unit price of \$ 6,500 each; and

WHEREAS, FEMA is offering a Firefighters Grant program which would assist with the purchase of the new SCBA packs; and

WHEREAS, the Mayor and Council of the Borough of Oakland think it is in the best interest of the residents to apply for this grant;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize an application be submitted to FEMA with a requested funding amount of \$ 210,476.19 to be used for the purchase of SCBA Packs for the Oakland Fire Department.

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

RESOLUTION 20-93 AUTHORIZE GRANT APPLICATION FOR FIRE PREVENTION

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

WHEREAS, FM Global is offering a grant to organizations to assist with Fire Prevention; and

WHEREAS, the Fire Prevention Office needs to purchase two laptops, a camera for fire investigation and educational and outreach materials to be used for Fire Prevention Week; and

WHEREAS, the Mayor and Council of the Borough of Oakland think it is in the best interest of the residents to apply for this grant;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize an application be submitted to FM Global with a requested funding amount of \$ 6,520.50 to be used for the Fire Prevention Program.

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

RESOLUTION 20-94 AUTHORIZE ACCRUED TIME PAYOUT-T. BOWER

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

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Tiffany Bower for sick, vacation, personal and compensatory time accumulated in the amount of \$ 3,357.66; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 3,357.66 composed of 135 hours of vacation time, 0 hours of sick time, and 24 hours of personal time and 1.5 hours compensatory time be paid out to Tiffany Bower. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

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

RESOLUTION 20-95 AUTHORIZE PURCHASE RADIO EQUIPMENT

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

WHEREAS, the Borough needs to purchase additional equipment for its Radio Communications System; and

WHEREAS, Motorola Solutions submitted a proposal for the equipment desired dated January 16, 2020 in the amount of \$ 173,335.70; and

WHEREAS, Motorola Solutions has State Contract # 83909 for the equipment desired; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Account #C-04-56-761-500:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorizes the purchase of the additional equipment for the Radio Communications System from Motorola Solutions as outlined in their proposal dated January 16, 2020 at a cost of \$ 173,335.70.

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

RESOLUTION 20-96 APPOINT FULL-TIME ACCOUNT CLERK

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

BE IT RESOLVED that the Mayor and Council authorize the appointment of Tracy Saliani as full-time Account Clerk in the Finance Department at a salary of \$ 41,000 effective April 1, 2020.

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

RESOLUTION 20-97 AUTHORIZE CONTRACT-BOROUGH ENGINEER

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 2020; 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 2019; 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 2020 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 2020; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer for the year 2020 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 \$25,000 (\$15,000) 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 #0-01-20-165-021 \$ 15,000 and Account# 0-01-20-165-100 \$ 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.

Councilman Levy has objections and concerns to Boswell this past year so he will vote no to this contract. It is no reflection on John Yakimik. Councilman Knapp will vote yes but with stipulations to the concerns raised by Councilman Levy.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Pignatelli.
Nay, Councilman Levy. Abstain: Councilman Van Eck.

RESOLUTION 20-98 AUTHORIZE CONTRACT WATER & SEWER ENGINEER

On motion of Councilman Knapp, seconded by Councilman Biale, 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 2020; 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 2019; 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 2020; 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 2020; and

BE IT FURTHER RESOLVED, that compensation for said Water & Sewer Engineer for the year 2020 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 # 0-05-55-502-028 -\$15,000 and Account # 0-07-55-501-029- \$ 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: Yeas, Councilmembers Biale, Knapp, Pignatelli.
Nay, Councilman Levy. Abstain: Councilman Van Eck.

RESOLUTION 20-99 AUTHORIZE B.C. FREEHOLDERS TO USE COUNCIL CHAMBERS
On motion of Councilman Biale, seconded by Councilman Levy, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Bergen County Board of Chosen Freeholders has requested use of the Council Chambers in the Borough of Oakland on April 1, 2020; and

WHEREAS, the Mayor and Council has reviewed this request and find that the Freeholders meeting would not interfere with any Borough business on that day;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland shall allow the Bergen County Board of Chosen Freeholders to utilize the Council Chambers on Wednesday April 1, 2020.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the Bergen County Board of Chosen Freeholders.

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

RESOLUTION 20-100 AUTHORIZE CFO SALARY INCREASE
On motion of Councilman Biale, seconded by Councilman Levy, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, in accordance with his employment letter, the Chief Financial Officer is due a \$ 5,000 pay increase effective January 26, 2020;

NOW, THEREFORE, BE IT RESOLVED that effective January 26, 2020, David Young's salary will be \$ 97,000.

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

RESOLUTION 20-101 AUTHORIZE GRANT AGREEMENT-PHASE 3 FLOOD ACQUISITIONS

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland wish to enter into a grant agreement with the County of Bergen for the purpose of using a \$1,228,750 grant award from the 2019 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the acquisition of floodplain property in the project entitled Lenape Lane Flood Buyout (Phase III) identified as 18 Lenape Lane, Block 1404, Lot 9; 19 Lenape Lane, Block 1606, Lot 40; 20 Lenape Lane, Block 1404, Lot 8; 21 Lenape Lane, Block 1606, Lot 39; and 22 Lenape Lane, Block 1404, Lot 7; on the tax maps of the Borough of Oakland;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Linda S. Schwager to be a signatory on the aforesaid grant agreement contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Borough Administrator Richard S. Kunze to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project

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

RESOLUTION 20-102 CHAPTER 159 BODY ARMOR REPLACEMENT FUND

On motion of Councilman Biale, seconded by Councilman Levy, 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 received notification of a grant in the amount of \$2850.17 from the State of New Jersey for the purpose of Body Armor Replacement, and wishes to amend its 2020 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 Replacement - \$2850.17.

BE IT FURTHER RESOLVED that a like sum of \$2850.17 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 Replacement.
Other Expenses - \$ 2850.17

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, Levy, Pignatelli, Van Eck.

RESOLUTION 20-103 AUTHORIZE REFUND TAXES-BLOCK 4509, L18
On motion of Councilman Biale, seconded by Councilman Levy, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request from the Title Company for a refund of taxes due to a duplicate payment; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
4509/18	23 Dacotah Ave.	\$ 2,349.21

BE IT FURTHER RESOLVED that the check be sent to TitleMark, LLC, 178 Dayton Street, Ridgewood, NJ 07450.

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

INTRODUCTION: ORDINANCE NO. 20-CODE-805 SHORT TERM RENTALS –TABLED
On motion of Councilman Van Eck, seconded by Councilman Knapp, the introduction of Ordinance 20-Code-805 be tabled.

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

FINAL PUBLIC HEARING: ORDINANCE NO. 20-CODE-803

The Clerk was directed to take from the table Ordinance No. 20-Code-803 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING"

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend, Supplement And Revise The Code Of The Borough Of Oakland, Land Use, Chapter 59 Entitled "Land Use And Zoning", 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, Levy, Pignatelli, Van Eck.

WORK SESSION:**REVALUATION ORDER:**

Borough Tax Assessor Scott Holzhauer was in attendance to discuss the County's Revaluation Order for Oakland. He has worked in Oakland since 1986. Oakland has received an order from the County Board of Taxation to do a full-scale revaluation. It has been ten years since the last revaluation. The town's ratio (assessment to sale price) is below 85%. Mr. Holzhauer thought we would get the order a year ago. Most residential are selling at 70%.

Mr. Holzhauer would like to request the County change the revaluation order to a reassessment and properties would be reassessed for five years. He would like the Governing Body's support to go to the County. A revaluation is expensive and the tax maps need to be recertified. The cost of a revaluation would be around \$ 600,000. The initial cost for a reassessment would be \$ 250,000 and each subsequent year would be between \$ 50,000-60,000. Mr. Holzhauer advised that a revaluation was done in 1986 for implementation in 1987 and then the market crashed and there was a decline in property values. In 1994, values had to be readjusted. The last revaluation was done in 2004 and implemented in 2005 and then the recession hit in 2007. There was a high volume of appeals so in 2011 a reassessment was done.

Mayor Schwager asked the timeframe. Mr. Holzhauer advised that the process would take 8 to 10 months and we won't be likely to implement the revaluation by October as the order states. For the reassessment, we will make two attempts to inspect the property followed by a letter. Mr. Kunze advised that the State does let the municipality do a five-year special emergency to pay for this. The secondary benefit would be that there would not be as many appeals. Councilman

Knapp asked what happens after the rolling program ends. Mr. Holzhauer stated there would be an option to renew. It gives the municipality leverage in appeals.

MOTION TO AUTHORIZE:

On motion of Councilman Knapp, seconded by Councilman Pignatelli, the Governing Body authorizes Borough Tax Assessor Scott Holzhauer to request the County Tax Board to allow Oakland to do a reassessment instead of a revaluation.

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

Mayor Schwager asked what happens if we ignore the County order. Mr. Holzhauer responded that the County has the authority to do the revaluation and bill the town.

AMEND ZONING ORDINANCE:

Discussion of this item is held since the ordinance on short term rentals was tabled.

NEW BUSINESS:

Councilman Van Eck advised that there are two Mayors that do not have portraits hanging on the wall and he thinks they should be put up.

OLD BUSINESS:

Councilman Levy spoke about the reason the resolution for the Alternate Analysis for Patriots Bridge was pulled. He explained that he reached out to Assemblyman Auth who took introduced him to the Commissioner of the DOT. There might be options to get the bridge done.

Councilman Pignatelli asked about the status of the traffic study. It is imperative to get this done before Ramapo Valley Road is repaved in case there needs to be changes to the striping in order to help traffic flow. Borough Engineer John Yakimik advised he left a message for the County to check the status of the traffic study. Councilman Pignatelli stated that I287 had a tremendous impact on traffic. He hopes the traffic study is done from Franklin Avenue to Oak Street. He is hoping the data will prove to the State that 287 is the cause of the traffic problems. Councilman Levy spoke about the bypass. He explained that we need to get the traffic count. Once the traffic count is done, we can have an analysis done. Mr. Yakimik advised that he will do an analysis to see where the high volume is and see if striping makes sense. Councilman Pignatelli asked if we can increase the time of the traffic lights during peak time. Mr. Yakimik responded that the priority is to get cars off the exit ramp. There is a conflict between the State and County for the traffic lights. Councilman Biale advised that the State Engineer came in 2013 to try to regulate the signals. He believes this traffic study should be compared to pre-287.

COUNCIL REPORTS:

Councilman Knapp: During the month of January, the Police Department had 427 motor vehicle stops; 24 radar details and 7 traffic enforcement details which resulted in 538 summonses. There were 72 school checks, 44 burglar alarms and 36 motor vehicle crashes. The First Aid Squad had 62 calls in January for 124 hours. The Fire Department responded to 20 calls for 170 hours, 186 hours including training. There was a Great Oak Park Committee meeting last night. The Swords to Plowshares statue will start construction in March. The entrance road behind Portobello's will be paved in 2020. The Dog Park plans will be presented to the Environmental Commission next week and hopefully will be on the March 25th agenda for Mayor and Council approval. The Great Oak lawn is in progress. Mr. Yakimik will have the proposal for the Bandshell at the next meeting.

Councilman Levy: The Shade Tree Commission will meet the first Monday of the month at Borough Hall. The Flood Commission will meet the second Monday of the month at Borough Hall.

Councilman Pignatelli: The BCUA Hazardous Waste dates are March 7th in Moonachie; April 5th at Bergen Community College and May 9th at Campgaw in Mahwah. The hours are 9 am to 3 pm. The Green Team met and discussed the census. The Borough applied to the County for a grant for census outreach. On April 4th and 5th, invasive weeds will be removed at Great Oak Park. The trees will be planted at a later date. The Green Team is confident we can achieve silver certification. The Green Team needs members and the Environmental Commission needs a secretary to take minutes. Mr. Kunze advised that this position has been advertised in-house. Councilman Pignatelli advised that the Board of Health met on February 18th with a couple of restaurants.

Councilman Biale: Line Dancing will be held March 6 and March 20 at the Senior Center. County Clerk John Hogan will be at the Senior Center March 5th to distribute Senior Discount cards. Movies are held Mondays at 1:30 pm. Trivia will be held March 25th at 1:30 pm. The Wind Creek Casino trip will be held March 31st. The Mens' Club will have a planting and woodcrafting project. The 2020 street cleaning program will begin. The DPW Superintendent is working with Rockland Electric regarding issues with the LED lights. The DPW is asking residents for suggestions on this year's allotment. Councilman Biale had been in touch with the BPU to discuss the LED streetlight conversion and tariffs. He received positive feedback from the BPU. The DPW is continuing the pothole program. Due to the mild winter, the DPW has begun working on items for the Water Accountability Act. There is a meeting with John Yakimik to discuss sidewalks. The electronic bulletin board sign is out to bid.

Councilman Van Eck: The OCC will meet March 2nd. The OCC needs two new members and the TV committee needs members. Recreation baseball and softball signups are taking place until March 15th. After that time, there will be a late fee and no guaranty that there will be a spot open on a team. Summer Sports camp information is on the website. Summer Camp information will be posted in the coming weeks. The Planning Board has moved the April and May meetings to the first Thursday.

Councilman Pignatelli advised that Public Events will be sponsoring Fever Pitch on June 6th. They have agreed to purchase three additional pole ornaments. The Easter Egg Hunt will take place April 4th at 9:30 am.

OPENED FOR PUBLIC DISCUSSION:

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

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

Mike Guadagnino, 34 Hopper Street, advised that this will likely be the final year of the Park Committee. The Park Committee will turn the park over to the Recreation Commission and the Environmental Commission. The Environmental Commission will look over the plans for the dog park. It will be brought back to the Park Committee and then to the Mayor and Council for final approval. He needs to know what permission is needed to put up a welcome sign thanking sponsors.

Frank Monaco, 60 Thackeray, asked about the Affordable Housing Settlement. Borough Attorney Nylema Nabbie advised that this ordinance is required as part of the settlement agreement with Fanale. Mr. Monaco asked what is the problem with Boswell Engineering. Councilman Levy responded that he objected to some of the billing. It has nothing to do with John Yakimik.

Vic Pedalino, 52 McNamee, asked about the ordinance regarding boarders. He was told it was tabled to the next meeting.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

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

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Levy, the meeting be adjourned at 9:32 pm.

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk
March 25, 2020

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager