

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 22, 2019

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
Personnel; Affordable Housing
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Discussion about personnel issues and Affordable Housing. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

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, Kulmala, Levy, Pignatelli, Talamini. 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 and included in the schedule of regular meetings.

MAYOR'S REPORT:

The Borough received a letter from the State Historic Preservation Board giving the Borough permission to dismantle the Stream House. They acknowledged the damage to the building and the Borough's intention to build a new building on the property. She would like to hear from the residents regarding their concerns. The Green Team will sponsor a presentation on Butterfly Gardens on June 11th at 7 pm. The Green Team is sponsoring a program to recycle plastic bags. Mayor Schwager thanked them for all they do. Bergen County will sponsor a Home Ownership Fair on June 8th from 9 to 1 pm. Bergen County is sponsoring Unity for Community on June 30th. The Memorial Day Parade will be held Sunday at 1 pm. June 1st will be the Fever Pitch baseball and softball parade. The carnival will be held June 12 to 15th with the fireworks being held Friday June 14th.

OPENED FOR PUBLIC DISCUSSION:

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

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

Frank Monaco, 60 Thackeray, hopes people donate to the First Aid Squad. He spoke about the rankings for the school. He spoke about the school bus waiting for kids and holding up the traffic. Councilman Talamini advised Mr. Monaco to go to the Board of Ed.

Kevin Heffernen, 40 Grove Street, spoke about a Facebook post by Councilman Levy regarding the denial of the Station Park Grant Application. He felt it was disrespectful that Councilman Levy did not inform the Station Park Committee members of the denial. Mr. Heffernen spoke about a report he submitted back in October 2018 where he outlined the issues he had with the amounts in the grant application. He feels that the grant application obligated the Borough to contribute \$400,000 toward the park when the park was not supposed to cost the taxpayers any money. Mr. Heffernen asked the Mayor why nothing was done after he submitted his report.

Jeff Smyrchinski, 90 Skyline Drive, has been to the Council meetings twice to complain about his neighbor dumping on his property. The employees in the Building Department have failed to do anything to stop the illegal dumping. Borough Engineer John Yakimik advised he went to inspect and he rendered a report. In his eyes, it is a violation. However, Boswell is only an advisory entity. He gave points for the Building Department staff to investigate further and enforce. Mr.

Smyrchinski responded that nothing has been done. Mr. Kunze will look into this tomorrow with the staff. Mr. Yakimik advised he pointed out sections of the code which can be issued as violations. Mayor Schwager promised that she will follow up with the new people in the Construction office. Mr. Smyrchinski advised his neighbor has been dumping for many years. Councilman Levy asked Mr. Yakimik if there are violations. Mr. Yakimik responded there are. Mr. Kunze advised that the DEP closed the case. However, there should be a record of the summons issued by the Building Department in Court. Mr. Smyrchinski advised that the dumping is affecting the stream which goes into the Ramapo River. Councilman Levy advised that as of August 28th, the Ramapo River and its tributaries will be classified as C1.

Don Sena, 47 Thackeray, spoke about the school board election. He stated there are only 8 towns in Bergen County that have an April election. The Board of Education has concerns about politicizing the election in November but the Regional Board of Ed did not feel it was a problem. Councilman Biale spoke to County Clerk John Hogan about how he is trying to separate school candidates from political candidates on the ballot. Mr. Sena stated the Board of Education is concerned with allowing the taxpayers to vote on the budget. He believes if the election were in November, the Board would be more diligent to stay within State guidelines. He stated that the budget for the 2019 election was \$25,000 and there were only 477 votes. He asked the Council to have a public discussion on another agenda and to put it to a vote.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: MAY 8, 2019

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of May 8, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 24, 2019 EXECUTIVE

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council Executive Session of April 24, 2019 be approved.

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

APPROVAL OF MINUTES: MAY 8, 2019 EXECUTIVE

On motion of Councilman Knapp, seconded by Councilman Biale, the minutes from the Mayor and Council Executive Session of May 8, 2019 be approved.

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

PRESENTATION OF CERTIFICATES-LOUIS BAY SCHOLARSHIP APPLICANTS

Mayor Schwager advised that the League of Municipalities came up with a scholarship competition for future municipal leaders. It is wonderful to be able to help people and serve the community. She presented certificates Ramapo High School student Pat Zielinski and Indian Hills students Danielle DiPentima, Scott Twomey and Samuel Itman who is a State semi-finalist. She congratulated all the students.

APPROVAL FOR VALLEY PROFESSIONAL BUILDING:

Approval was previously given for the Valley Professional building on 43 Yawpo Ave. to have paving and striping of their parking lot done in May. Due to rain that had to be rescheduled. Mr. Chewcaskie suggested giving a blanket authorization for 30 days in June to work on Saturday and Sunday.

Motion:

On motion of Councilman Biale, seconded by Councilman Kulmala, approval be given to Valley Professional building at 43 Yawpo Avenue to have paving and line striping of their parking lot done on a Saturday and Sunday between the hours of 9 am to 5 pm. Approval is good for 30 days in June.

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

PUBLIC HEARING ON BERGEN COUNTY PARK IMPROVEMENTS GRANT APPLICATION-TENNIS COURT RECONSTRUCTION

OPENED FOR PUBLIC DISCUSSION:

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

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

Frank Monaco, 60 Thackeray Road, asked how much money is being spent on the tennis courts. Mr. Kunze responded this is a small grant of \$8,000. He explained we are applying for the grant to resurface the courts since there are cracks and the acrylic surface is in need of repairs. Mr. Monaco objected to spending money on the tennis courts. Borough Engineer John Yakimik advised this is just maintenance for the tennis courts because there is a thin crack. He advised it is money well spent now so the Borough does not have to spend a lot more money later. Mr. Monaco feels that repairs should not have to be made so soon after the courts were built.

CLOSED FOR PUBLIC DISCUSSION:

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

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

**PUBLIC HEARING ON BERGEN COUNTY FLOODPLAIN PROTECTION GRANT
PROGRAM APPLICATION:**

OPENED FOR PUBLIC DISCUSSION:

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

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

Aaron Cela from the Land Conservancy advised this grant application is for Phase 3 of the flood buyouts. He explained that Phase 1 and Phase 2 of the program has been very successful on Roosevelt Boulevard. Approximately eight of the houses have been demolished. This phase will be for properties on Lenape Lane if all the homeowners agree. Mr. Kunze explained that the total projected cost will be \$1,770,000. We are requested \$ 1.3 million from the grant. We would be able to use Open Space trust fund and Green Acres for the balance. Mr. Cela explained that these properties have all experienced severe repetitive loss. Mr. Kunze explained that we are required to submit appraisals for the grant application so that contract will be authorized on June 12th. Mr. Cela advised that three of the homeowners have agreed so far. Councilman Kulmala asked if one of the homeowners backs out, can the grant money be put toward the purchase of another property. Mr. Cela responded that the grant application is specific to these properties on Lenape. There is a grant every year so the Borough can always reapply. Mr. Cela advised that the other two homeowners have not responded at all. Mr. Kunze advised a letter will be going out tomorrow.

CLOSED FOR PUBLIC DISCUSSION:

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

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

**RESOLUTION 19-154 AUTHORIZE SHARED SERVICES AGREEMENT-CONSTRUCTION
OFFICIAL**

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

WHEREAS, the Borough of Oakland requires the services of an Construction Official;
and

WHEREAS, the Borough of Franklin Lakes and the Borough of Oakland desire to share the services of the Construction Official, which will be provided by the Borough of Franklin Lakes; and

WHEREAS, the Borough of Oakland desires to enter into a shared service agreement with the Borough of Franklin Lakes which sets forth the obligations and responsibilities of each party as reviewed by the Borough Attorney, in the form attached to this Resolution.

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

1. The Mayor and Borough Clerk are authorized to execute the shared service agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Borough of Franklin Lakes, the Borough of Oakland Construction Office and Brian M. Chewcaskie, Borough Counsel.

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

RESOLUTION 19-155 AUTHORIZE RECREATION REFUND

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 Summer Camp Fees in the amount of \$ 668.00; and

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

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorize a refund to:

Laura Ossman, 300 Battalion Dr. Apt. 129, Stony Point, NY amount due \$ 688.00

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

RESOLUTION 19-156 AUTHORIZE VEHICLE AUCTION

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

WHEREAS, pursuant to the provisions of NJSA 40A:11-36, the Borough of Oakland may sell any personal property; and

WHEREAS, the Mayor and Council of the Borough of Oakland have determined that the property listed in this resolution is no longer needed for public use and wishes to divest said property,

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

1. The sale of the surplus property shall be conducted online using Municibid (www.municibid.com) pursuant to New Jersey Local Finance Notice 2008-9. Terms of the agreement are available on the vendor's website and available in the Borough Clerk's Office.
2. The surplus property to be sold is as follows:

YEAR	MAKE / MODEL	VIN #	PLATE #
2001	Ford F-250	1FTNF21L41ED82689	
2013	Chevy Tahoe	1GNLC2E01DR285003	
1999	International Dump Truck w/salt spreader	1HTSEAAR1XH567667	
1997	Brush Bandit Chipper	4552538912124	
	Jersey Contractor Trailer		
	10' Trailer		
	Swenson 6 yard v-box salt spreader		

3. The surplus property as identified shall be sold in 'as is' condition without express or implied warranties.
4. In accordance with NJSA 39:10-9.1, the certificates of ownership for former police vehicles shall state that the motor vehicles were used as police patrol vehicles and notice is provided that the buyer shall continue to so state on each subsequent sale or transfer
5. The successful bidder will be required to pay in cash or certified check made out to the Borough of Oakland at the time of pick up of the vehicle. The Borough will not deliver the vehicle to the successful bidder.
6. The vehicle is to be transferred and taken off the site within 10 business days after approval of the sale by the Governing Body.

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

RESOLUTION 19-157 APPOINT BUILDING SUBCODE OFFICIAL

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

WHEREAS, there is a vacancy for the position of Building Subcode Official due to a retirement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoint Robert Cellini as Building Subcode Official at an annual salary of \$10,000 effective Monday June 3, 2019.

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

RESOLUTION 19-158 AUTHORIZE TITLE WORK BLOCK 1606, L11

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

WHEREAS, the Borough is in need of obtaining title work in order to proceed with the acquisition of Block 1606, Lot 11 Roosevelt Blvd.; and

WHEREAS, Title Lines submitted a proposal dated May 8, 2019, for the services required in an amount not to exceed \$ 712;

WHEREAS, Title Lines has submitted all necessary 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 professional bidding is required; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #9-01-20-155-028;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Title Lines in an amount not to exceed \$ 712 for the services as outlined in their proposal; and

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

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

RESOLUTION 19-159 AUTHRIZE PRELIMINARY ASSESSMENT REPORT BL.1606, L11
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough is in need of obtaining an environmental assessment report, following Green Acres Standards and the County of Bergen, for Block 1606, Lot 11; and

WHEREAS, Boucher & James, Inc. submitted a proposal dated May 2, 2019 for the services required in an amount not to exceed \$ 1,275 for the property located at Block 1606, Lot 11; and

WHEREAS, Boucher & James, Inc. has submitted all necessary 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 professional bidding is required; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # 9-01-20-155-028;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Boucher & James Inc. in an amount not to exceed \$ 1,275 for the services as outlined in their proposal; and

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

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

RESOLUTION 19-160 AWARD CONTRACT-CASCADE SYSTEM

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

WHEREAS, the Borough of Oakland is a member of the Houston-Galveston Area of Governments (HGAC) purchasing program, a national purchasing cooperative; and

WHEREAS, HGAC published notice soliciting sealed competitive bids on Sunday, January 22, 2017 for a variety of emergency medical and rescue equipment and awarded a contract (EE08-17) on May 16, 2017 to Bauer Compressors, Inc for breathing air systems for the period August 1, 2017 through July 31, 2019; and

WHEREAS, P.L. 2011 c139(the “Law” or “Chapter 139”) allows local contracting units to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services (DLGS) has published LFN 2012-10, a Local Finance Notice detailing guidance to contracting units desiring to purchase under the Law; and

WHEREAS, the Borough Administrator and Fire Chief are satisfied that the procurement conducted by HGAC and the contract awarded to Bauer Compressors, Inc. with the associated documentation submitted by both HGAC and Bauer are compliant with the guidance in LFN 2012-10; and

WHEREAS, the Borough of Oakland published a notice in the May 3, 2019 edition of the Bergen record and posted a notice on www.oakland-nj.org of its intent to award a contract to Bauer Compressors, Inc. for a new SCBA Cylinder Recharging System; and

WHEREAS, the total purchase price is \$52,330; and

WHEREAS, a cost savings determination in accordance with LFN 2012-10 demonstrates that purchasing this equipment through the HGAC Co-Op will save the Borough \$3,740 compared to other methods of procurement; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-760-100; and

WHEREAS, the Borough Attorney has reviewed this procurement and concurs with the procurement through the national cooperative contract.

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

1. The Borough of Oakland is authorized to purchase from the HGAC National Cooperative Contract.

2. The proposal submitted by Bauer Compressors, Inc. in accordance with HGAC contract # EE08-17 in the amount of \$ 52,330 is hereby accepted.

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

RESOLUTION 19-163 APPOINT TEMPORARY FIRE INSPECTOR AND CCO INSPECTOR
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a vacancy for the positions of Fire Inspector and CCO Inspector will exist as of June 1, 2019;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appointments be made effective June 3, 2019:

Samuel Antoshak	Part-time Fire Inspector and CCO Inspector
Daniel McEldowney	Part-time Fire Inspector and CCO Inspector
Denny Knubel	Part-time Fire Inspector

BE IT FURTHER RESOLVED that all the above individuals will be paid a rate of \$ 25 per hour.

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

RESOLUTION 19-165 AUTHORIZE HIRE DPW LABORER
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has a vacant position in the Department of Public Works; and

WHEREAS, the Borough Administrator and Superintendent of Public Works recommend that Nickolais Filingeri be appointed to fill the full-time vacancy; and

WHEREAS, the Borough Council believes such action to be in the best interest of the department and community;

NOW, THEREFORE, BE IT RESOLVED, that the Borough does hereby hire Nickolais Filingeri as a laborer in the Department of Public Works effective Monday, June 3, 2019 at an annual salary of \$ 37,103.

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

RESOLUTION 19-166 AUTHORIZE REFUND TAXES BLOCK 4602, L4
On motion of Councilman Biale, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request from the bank for a refund of taxes due to an overpayment; 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>OWNER</u>	<u>AMOUNT</u>
4602/4	US Bank	\$2,323.06

BE IT FURTHER RESOLVED that said refund be sent to Lereta Property Tax & Flood Services, Attn: Refunds/Returns Dept., 1123 Park View Drive, Covina, CA 91724.

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

RESOLUTION 19-167 DEDICATION BY RIDER-COMMUNITY COMMUNICATIONS DONATIONS

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

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Boroughs Community Communications Donations Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements,

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 Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received by the Boroughs Community Communications Donations Program in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for the Borough Community Communications Donation Program.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

RESOLUTION 19-168 AUTHORIZE SETTLEMENT AGREEMENT

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

WHEREAS, certain matters have arisen pertaining to P.F.'s employment with the Borough of Oakland ("Borough"); and

WHEREAS, P.F. has agreed to a Settlement Agreement and Release and executed same on May 17, 2019; and

WHEREAS, the Borough Council has reviewed the Settlement Agreement and Release and seeks to accept and agree to the terms of same; and

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

1). The Borough hereby accepts and agrees to the terms and conditions of the Settlement Agreement and Release dated May 17, 2019; and

2). The Borough hereby authorizes the Mayor to execute the Settlement Agreement and Release dated May 17, 2019; and

3). That this resolution shall take effect immediately.

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

RESOLUTION 19-169 AUTHORIZE RESTORATION OF INTERNATIONAL DUMP TRUCK SALT SPREADER BODIES

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

WHEREAS, there is a need to restore the salt spreader bodies for two International Dump Trucks; and

WHEREAS, Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07022 has the ESCNJ Cooperative #65MCESCCPS Bid #BD-271 for the work required in the amount of \$ 30,836.72 per vehicle as specified in Quote #EG051419A dated May 14, 2019; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #T-13-56-286-208;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the purchase from Cliffside Body Corporation for the total amount of \$ 61,673.44 as specified in their quotation.

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

INTRODUCTION: ORDINANCE NO. 19-CODE-785

The Clerk was directed to take from table Ordinance No. 19-Code-785 and read by title for its first reading.

The Clerk then read by title Ordinance No. 19-Code-785 entitled: "AN ORDINANCE TO AMEND AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING" ARTICLE VII ENTITLED "ZONING", SECTION 59-49 ENTITLED "RESIDENTIAL ZONES" SUBPARAGRAPH D ENTITLED "CONDITIONAL USES IN RESIDENTIAL ZONES" TO ELIMINATE SECTION 59-49D (7)"

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 To Amend And Revise The Code Of The Borough Of Oakland, Land Use, Chapter 59 Entitled "Land Use And Zoning" Article VII Entitled "Zoning", Section 59-49 Entitled "Residential Zones" Subparagraph D Entitled "Conditional Uses In Residential Zones" To Eliminate Section 59-49d (7), be introduced;

That said Ordinance be considered for final adoption at a meeting on June 26, 2019 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 12, 2019 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, Levy, Pignatelli, Talamini.

WORK SESSION:**RESOLUTION IN SUPPORT OF PATH TO PROGRESS:**

Mr. Kunze advised that the "Path to Progress" is a report issued last August by the NJ Economic and Fiscal Policy workgroup. It contains numerous recommendations in a variety of areas such as pension, health benefits, shared services and education. Senate President Sweeney has asked the Governing Body to pass a resolution in support of the recommendations. The League of Municipalities has advised that 27 bills have been introduced that address part of these recommendations. Councilman Pignatelli asked what the League of Municipalities is recommending. Mr. Kunze advised that the League is still studying the legislation so there is no recommendation yet. He spoke about health benefits proposals and pension. He is sure the League will start sending notices soon. The Council may want to wait for the League's reports. Mayor Schwager commented that it is important to hear from the League of Municipalities.

RESOLUTION SUPPORTING COMMUNITY GARDEN:

Mr. Kunze advised that the borough would earn points with Sustainable Jersey for having a community garden. The Green Team wanted support for the idea and will find a location if they receive support. Mayor Schwager thinks it is a wonderful idea. Councilman Pignatelli thought it was a wonderful idea and a good teaching tool. It is also good for the environment and a lot of towns donate food. Councilman Kulmala and Councilman Talamini think this is a terrific idea.

Councilman Biale suggested they invest in something to help keep the deer out. A resolution will be listed on the next agenda.

OLD BUSINESS:

Councilman Biale had asked Tom Connolly from the Bergen County DPW if he has heard of using beet juice instead of brine. Mr. Connolly advised that the County uses beet juice for the last two years because of the corrosiveness of chlorides. He advised that the County puts down 25% of what they used to put down in chloride. The cost is \$ 1.40 per gallon versus \$ 1.07 for chloride. Mr. Kunze asked for clarification that the beet juice is replacing calcium chloride not rock salt. Mr. Connolly responded that is correct. Councilman Pignatelli spoke about an increase in salt in the Borough's water. Mr. Connolly responded that the County reduced salt use with beet juice. Councilman Levy asked why the Council authorized refurbishment of salt spreaders if we would consider using beet juice. Mr. Connolly replied that the Borough still needs to use salt. Mr. Kunze advised that when the Borough put in the brine system, salt usage went down 30 to 40%. The brine helps reduce the amount of salt being used.

Councilman Talamini asked about the cost of Station Park in the grant application. Mayor Schwager advised that he would have to discuss with the grant committee. She stated that everyone needs to read Mr. Heffernen's report and then it can be discussed.

Councilman Knapp asked about redoing the dais. He asked if this is being pursued. Mr. Kunze responded that we would need to have an architect look at this.

MOTION:

On motion of Councilman Biale, seconded by Councilman Levy, the Council wishes to have an architect look at redoing the dais.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Talamini.
Nay, Councilman Pignatelli.

Councilman Knapp asked Borough Engineer Yakimik about the railings on Route 202 by Riverside Nursery. He stated that someone is going to get hurt. Mr. Yakimik advised that we should reach out to the County Engineer to state our case. Councilman Pignatelli advised that he referred this to the County four years ago and they came to inspect. Tom Connolly advised that the County controls the road curb to curb. The railings would be under local municipal control. He stated that if the Borough can find any history where the County built or helped build the railings, then they can state the case.

COUNCIL REPORTS:

Councilman Talamini: The Public Events Committee needs new members. The Memorial Day Parade will be held Sunday at 1 pm. The carnival bracelets will go on sale soon. The Carnival will be held June 12th to 15th. The fireworks will be held Friday and the raindate will be Saturday. Councilman Talamini will go to the school board about the concerns voiced tonight over buses. Today was Heights Olympic Day.

Councilman Kulmala: The OCC is looking for a new member. The OCC will cover the carnival. The new bulletin board will be phased in June. The newsletter committee wants to hear from former Indian Hills graduates. The next OCC meeting will be July 8th at 7:30 pm at the Council Chambers. The Library has several programs that came out of a grant. There was an anti-bullying program sponsored by the Police Department. The Library circulation is up over last year. The usage has increased over the last year. The Recreation bathrooms are complete and all four bathrooms are open. There was a curb realignment done by the Danny D'Elia building. The

Water and Sewer Committee are holding bi-weekly meetings at this poing. There are meetings with the North Jersey District Water Commission set to take place. He explained that things are setting up for the approval of the Wastewater Management Plan.

Councilman Biale: The Seniors will have bingo on June 6 at 1 pm. They will start a weekly program. The Seniors are continuing the walking program on Tuesdays in May and June. There will be a special guest on each walk. There is a Lunch and Learn with an elder care attorney on May 30th at 12:00 pm. The Seniors will have their start of summer bash on June 20th. There is milling and paving taking place to finish the 2018 road program. The paver's machine broke down so there may be a delay. The DPW is scheduled to plant 35 new trees at the direction of the Shade Tree Commission. The DPW finished planting flowers in the planters donated by the Levines. The Borough's shredding event was very successful. The Borough received a letter from SHPBO. We have been given approval to dismantle the Stream House. It has been my concern to get this Stream House taken down and put up a museum.

Councilman Pignatelli: There will be a Hazardous Waste collection on July 20th at Campgaw in Mahwah. There will be electronics and tire collection and a shredding event on June 8th at Campgaw. The Green Team will sponsor a program at the Library on June 11th at 7 pm entitled "How to Plant a Butterfly Garden" The Board of Health met on May 21st. They are considering an ordinance requiring food establishments to post their health certificates in the front window.

Councilman Levy: The Flood Commission is looking for new members. They meet the second Monday of the month. The Shade Tree Commission meets the first Monday of the month and Planning Board meets the second Thursday of the month. Councilman Levy addressed Mr. Heffernen's concerns regarding Station Park. He stated that the Borough has not received official word from the State of NJ that we are not receiving the grant. He only heard that from the grant writer. There was a large number of applications and a small number received grant money. The grant writer was going to look into who received approvals.

Councilman Pignatelli advised that the Green Team will meet May 28th at 7:30 pm. Mayor Schwager commented that the Green Team works so hard.

Councilman Knapp: The Police Department is keeping a No Knock Registry. Residents can register and hang a sign on their door. The No Knock Registry does not apply to non-profit organizations, religious organizations or utility companies. The Police Department reminded residents to lock their vehicles. The Police Department had 428 Motor Vehicle stops, 11 radar details, 10 traffic enforcement details and 560 summonses issued in the month of April. The Fire Department had 26 calls and 152 hours for the month of April. Year-to-date, they have 116 calls for 1837 hours. The grass is growing on the great lawn in Great Oak Park. They will meet on June 5th at 7:00 pm at the Danny D'Elia building. The First Aid Squad met with the head of security for the high school. The First Aid Squads from the FLOW towns will train teachers on how to stop bleeding.

Councilman Pignatelli reminded residents about the Recycle Coach app. Mayor Schwager advised that due to a retirement, there is an opening on Planning Board.

OPENED FOR PUBLIC DISCUSSION:

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

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

Kevin Heffernen, 40 Grove Street, would like to return to a meeting to do a presentation. There needs to be discussion on Station Park.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Talamini, 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, Kulmala, Levy, Pignatelli, Talamini.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Levy, the meeting be adjourned at 9:40 pm.

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

Lisa M. Duncan, Borough Clerk

Mayor Linda H. Schwager

Date Approved