

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA VIDEO CONFERENCING
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 27, 2020

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
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, Levy, Pignatelli, Talamini, Van Eck.

Discussion ensued over personnel matters. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER:

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Levy, Pignatelli, Talamini, Van Eck. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; John Yakimik, Borough Engineer.

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 and held with the guidelines set up for this COVID-19 crisis.

MAYOR'S REPORT:

Mayor Schwager advised residents to submit their census forms. In 2010, New Jersey was undercounted and that means less Federal Aid. It only takes a few minutes to complete and there are no privacy issues. Mayor Schwager thanked Alison Fleeson and Carol Peterson for creating a plan for our community garden. They were able to get a grant from Sustainable Jersey for the community garden. Mayor Schwager recognized two residents-Courtney Carbone who wrote the Paw Patrol and Peppa Pig series and Edward Pickhardt who writes books for older children regarding Dusty the Dustball and Family. The Oakland-F.L. Rotary is working with the Library to put together a time capsule. She asked children to submit artwork or poems to describe their feelings during this crisis. Mayor Schwager reminded residents the 2nd quarter tax grace period ends June 1st. The Borough must receive payment by June 1st or penalties will be accrued from May 1st.

OPENED FOR PUBLIC DISCUSSION:

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

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

Ann Bernhard, 101 East Oak Street, advised that the sidewalk is broken when you make a left out of the Post Office parking lot onto East Oak. She doesn't know who is responsible for the sidewalk but it is in poor condition. Mr. Kunze advised he will speak to the Code Enforcement officer because the sidewalk is probably privately owned.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: MAY 13, 2020

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of May 13, 2020 be approved as amended by Councilman Van Eck on page 10.

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

APPOINTMENT: GREEN TEAM

Mayor Schwager appointed Dana Andro and Elizabeth Ochoa to a one-year term on the Green Team.

**PUBLIC HEARING ON BUDGET AS INTRODUCED:
OPENED FOR PUBLIC DISCUSSION:**

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

CFO David Young spoke about the need for an amendment to the budget. He advised that there have been changes to the revenue stream. The bank reduced the interest rates which will reduce anticipated interest. Mr. Young explained it will be difficult to figure out what will happen with the summer rec program which would be a large chunk of revenue. Mr. Young is recommending not anticipating that revenue and put in reserves. The Library and Senior Center have reduced or eliminated certain programs and salary lines have been reduced. Mr. Young advised that revenues have been reduced by \$ 138,000 and he went through the detail. The drop in interest was offset with a cut in appropriations. He explained that we have determined an alternate revenue source for summer camp which can be canceled if camp is not held. Mayor Schwager asked about State Aid. Mr. Young explained that the Energy Receipt Tax and COMPTR payments would be delayed not reduced yet. He is paying close attention to the matter.

Mr. Young advised that on the appropriation side, overtime is being reduced. The carnival was a significant driver of overtime and since the carnival has been canceled, overtime can be reduced. There is a savings because some programs are not going to happen in the Senior Center and Library. There is a savings in the budget because the crossing guards did not work this spring. Mr. Young explained that several line items are changing by more than 10% which is triggering this amendment. The amendment requires another public hearing.

Mr. Young spoke about Capital. He explained that the purchase of furniture for the Court room has been delayed. Mayor Schwager asked if this would qualify for the judiciary grant. Mr. Kunze responded that he looked at the eligible expenses for the grant and he thinks this meets the criteria so the grant application will be amended to include this request. Councilman Pignatelli

asked if this grant the same as the CARES act. Mr. Kunze explained that the grant is part of the CARES act funding sent to the Bureau of Justice specifically for Police Departments. The Federal government has put some of the CARES act money in existing programs.

Councilman Van Eck commented on the need for the HVAC for the Library and asked about the supplemental funding to the Library. Mr. Young explained that last year, the Library requested supplemental funding in the amount of \$ 45,000. This year, the request for supplemental funding was cut down to \$ 15,000. Councilman Levy questioned why there is a need for HVAC at the Library when the Library was just renovated. Mr. Kunze explained that this unit is 16 or 17 years old. Mr. Young explained that there are 3 or 4 units for different parts of the building. Councilman Knapp stated the funding for the HVAC is still in the budget. Councilman Van Eck feels if we are funding the HVAC system, the supplemental funding should not be given. Councilman Talamini stated that last year, the Library was flat. If they receive even less, it would be hard for them to deal with. Councilman Knapp feels that as the 1/3 mil increases, the supplemental funding should decrease. He questioned the supplemental funding last year. He does not disagree that everyone has to tighten their belt. Councilman Talamini state that the Library took out a lot from their request already this year. Councilman Van Eck feels that the HVAC system is what should be done for the Library. Councilman Pignatelli stated that the Library would have to cut out programs if they didn't receive the supplemental funding. Mayor Schwager commented that our Library is incredible and asked if we do not cut their entire amount.

Councilman Van Eck spoke about the OCC camera replacement for \$45,000 and asked if that should be put off especially since we don't know if we can upgrade the output from Cablevision. Councilman Talamini explained that this has been discussed by the Finance Committee and is something that needs to be done. Councilman Knapp explained if we put off purchases this year, it will lead to a more significant tax increase down the road. Councilman Biale stated the equipment will be more expensive if we wait to purchase. Councilman Levy explained that delaying purchases in the past has led to budgetary troubles now and in the future. Councilman Van Eck stated that the equipment was originally donated and he thinks the OCC should raise money to come up with the funds. Councilman Levy asked if they can sell advertising. Mr. Chewcaskie responded that there cannot be advertising on the public access channel. Councilman Talamini does not think people would pay to advertise on that channel anyway. Councilman Van Eck stated they discussed fundraising and grants at the last OCC meeting. Councilman Knapp does not disagree but wants to see the cameras replaced. He would also say to leave the \$ 15,000 for the Library in the budget. Councilman Levy agreed. Councilman Biale agreed that the cameras should be replaced and he agrees about leaving the \$ 15,000 supplemental funding for the Library in the budget.

Councilman Van Eck feels the LED sign should be cut. Mayor Schwger stated the sign we have now is outdated and we have a donation towards the purchase of a new sign. Mr. Kunze explained that the Borough received a \$ 37,000 donation for the sign. Councilman Biale stated the new sign would give the town access to more information. This sign has been talked about for 20 years. Councilman Van Eck asked if the person who donated the money can donate additional money. He does not think it is the time to do this sign. Councilman Biale wants to leave the sign in.

Mr. Young advised that the Finance Committee did review opportunities to make cuts. Councilman Knapp reiterated that the Finance Committee already make cuts. He stated that Councilman Van Eck is talking about cutting another \$ 100,000 and he asked Mr. Young what that means to a taxpayer. Mr. Young stated that \$ 100,000 cut would related to a \$ 20 per year

cut to the average household. Mr. Young said that theoretically, if the Borough were not going to do projects, it should go back to surplus. Councilman Levy asked if we are within our guidelines for fund balance and asked we would be within our guidelines for fund balance if all the projects are done. Mr. Young responded we were. Mayor Schwager stated if these projects were not done, it would save taxpayers only \$ 20 per year. Councilman Levy stated that we can't keep pushing projects down the road. Councilman Knapp stated that significant cuts have been made to capital already. Mayor Schwager stated that when projects are deferred, at some point the bills are due. It is better to do a little each year. Councilman Van Eck feels there is no need for a sign. Mayor Schwager responded that the sign would be a nice addition to the town. Councilman Van Eck stated that it would spending taxpayer money on something they are not asking for. He would rather people have the \$ 20 in their pocket. Councilman Knapp would agree if the Borough hadn't gotten almost \$ 40,000 contributed toward the purchase of the sign.

RESOLUTION 20-142 AMENDMENT TO BUDGET

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

WHEREAS, the local municipal budget for the year 2020 was introduced on the 22nd day of April, 2020; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said budget,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, New Jersey that the following amendments to the introduced budget of 2020 be made:

Current Fund

	<u>From</u>	<u>To</u>
General Revenues		
Surplus Anticipated	1,600,000.00	1,555,000.00
Total Surplus Anticipated	1,600,000.00	1,555,000.00
Miscellaneous Revenues – Section A: Local Revenues:		
Recreation Fees	427,850.00	177,850.00
Investments & Deposits	150,000.00	75,000.00
Miscellaneous Revenues – Section G: Special Items of General Revenue Anticipated:		
Health Benefits Reserve	0.00	250,000.00
Total Miscellaneous Revenue	3,274,460.96	3,199,460.96
Subtotal General Revenues (Items 1, 2, 3 and 4)	4,883,460.96	4,763,460.96
Amount to Be Raised by Taxes for Support of Municipal Budget:		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes		

	14,736,865.92	14,718,865.92
Total Amount to be Raised by Taxes for Support of Municipal Budget	15,613,052.92	15,595,052.92
Total General Revenues	20,496,513.88	20,358,513.88

General Appropriations

(A) Operations – Within “CAPS”

GENERAL GOVERNMENT FUNCTIONS

Financial Administration

Salaries & Wages	206,000.00	204,000.00
Other Expenses	40,000.00	39,000.00

Tax Collection

Other Expenses	12,000.00	7,000.00
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PUBLIC SAFETY FUNCTIONS

Police Dept

Salaries & Wages	4,564,000.00	4,501,000.00
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PUBLIC WORKS FUNCTIONS

Streets & Roads

Salaries & Wages	514,500.00	510,500.00
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Solid Waste Collection

Salaries & Wages	54,700.00	53,700.00
Other Expenses	1,456,000.00	1,451,000.00

Buildings & Grounds

Salaries & Wages	208,600.00	206,600.00
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RECREATION, SENIOR AND COMMUNITY SERVICES

Recreation

Salaries & Wages	203,700.00	198,700.00
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Senior Services

Other Expenses	39,600.00	34,600.00
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Total Operations {Item 8(A)} Within “CAPS”

	13,949,327.92	13,866,327.92
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Total Operations Including Contingent Within “CAPS”

	13,954,327.92	13,871,327.92
Detail:		
Salaries & Wages	7,547,222.52	7,470,222.52
Other Expenses	6,407,205.40	6,401,104.40
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	15,776,777.92	15,693,777.92
(A) Operations – Excluded from "CAPS"		
Supplemental Library Funding	25,000.00	15,000.00
(C) Capital Improvements – Excluded From "CAPS"		
Capital Improvement Fund	975,000.00	930,000.00
Total Capital Improvements Excluded From "CAPS"	1,175,000.00	1,030,000.00
(H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS"	4,239,735.96	4,184,735.96
(O) Total General Appropriations – Excluded From "CAPS"	4,239,735.96	4,184,735.96
(L) Subtotal General Appropriations {Items (H-1) and (O)}	20,016,513.88	19,878,513.88
Total General Appropriations	20,496,513.88	20,358,513.88

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Oakland does hereby approve this amendment to the approved budget for the Fiscal Year 2020.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the Fiscal Year 2020 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this resolution shall be advertised in the June 3, 2020 edition of "The Record" and that a hearing will be held on this amendment at the Municipal Complex on June 10, 2020 at 7:30 pm o'clock

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

Councilman Talamini thanked the Finance Committee, Mr. Young and Mr. Kunze for all their hard work. It has been a crazy year. Councilman Van Eck thanked them as well for the attention they have put into the budget but he doesn't think the cuts went far enough.

RESOLUTION 20-143 AUTHORIZE DOT GRANT APPLICATION-SEMINOLE AVE.

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Oakland formally approves the grant application for the above-stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Improvements to Seminole Avenue-00003 to the New Jersey Department of Transportation on behalf of the Borough of Oakland.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oakland, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION 20-144 AUTHORIZE AGNOLI ENGINEERING-STREAM MAINTENANCE MANUAL

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

WHEREAS, there is a need for a Stream Maintenance Manual for Allerman Brook ; and

WHEREAS, Agnoli Engineering has submitted a proposal dated April 27, 2020, for engineering services for the project in an amount not to exceed \$ 3,800 broken down as follows:

Preparation of Draft Manual	\$ 2,600
Initial Inspection to Field Test Manual	\$ 1,200

WHEREAS, Agnoli Engineering 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 # C-04-56-789-111;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize a contract to Agnoli Engineering for engineering services for the Stream Maintenance Manual for Allerman Brook in an amount not to exceed \$3,800 as specified in their Proposal dated April 27, 2020; 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, Talamini , Van Eck.

RESOLUTION 20-145 AUTHORIZE RECREATION REFUNDS

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 for a refund of Recreation fees in the amount of \$ 385.00; 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:

Matthew Pellegrini, 1 Laura Lane, Oakland, NJ , amount \$ 171.00 (softball & baseball)

Brian Korzinek, 40 Rutgers Drive, Oakland, amount. \$ 146.00 (t-ball & softball)

Lisa Giordano, 19 Academy Circle, Oakland, NJ, amount \$ 68.00 (t-ball)

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

RESOLUTION 20-146 ACCEPTANCE OF SCULPTURE

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 accepted a donation of a sculpture “Swords to Plowshares” from Peter Marculus, a local artist; and

WHEREAS, the Borough accepted this donation pursuant to Resolution No. 19-208; and

WHEREAS, the sculpture has been erected in Great Oak Park and was completed on April 6, 2020; and

WHEREAS, the Borough has inspected and approved the installation of the sculpture in Great Oak Park; and

WHEREAS, the Borough will assume maintenance obligations and responsibility and liability for the sculpture as of April 6, 2020.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Borough formally accepts the sculpture “Swords and Plowshares” installed at Great Oak Park.

BE IT FURTHER RESOLVED that the Borough will undertake responsibility and liability for the sculpture as of April 6, 2020.

BE IT FURTHER RESOLVED that the Borough will be responsible for maintaining the sculpture and its seat/wall pedestal.

BE IT FURTHER RESOLVED that the Borough wishes to thank Peter Marculus for his generous donation.

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

RESOLUTION 20-147 SUPPORT NJ WILDLIFE ACTION PLAN

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

This Plan is in support of New Jersey Department of Environmental Protection, Division of Fish and Wildlife, State-level Priority Conservation Goals and Strategies

Recognizing that animals are an integral and valuable part of all communities and believing concern for the wellbeing of wild animals and wild species is a hallmark of a sustainable natural community the Borough of Oakland pledges its support for the New Jersey Wildlife Action Plan as outlined:

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities,

WHEREAS, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people,

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats,

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined,

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State,

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey,

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, the Borough of Oakland resolves to take the following steps with regard to our municipal land-use decisions with the intent of making Oakland an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

- We will identify imperiled species, critical habitat and unique ecosystems in our Environmental Resource Inventory.
- Acknowledging that it is more cost-effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.
- Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.
- We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.
- We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.
- When possible and appropriate, we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries.
- When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

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

RESOLUTION 20-148 APPROVAL OF DOG PARK

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

WHEREAS, resident Ryan Schwertfeger has led an extensive effort to construct a dog park in the Borough of Oakland, an idea that began 11 years ago as his eighth grade project at Valley Middle School; and

WHEREAS, the Great Oak Park Committee, Environmental Commission and Shade Tree Commission have reviewed and endorsed the detailed plan; and

WHEREAS, the Mayor and Council believe a dog park would benefit the residents of Oakland; and

WHEREAS, the dog park shall be constructed applicable to all laws, rules and regulations; and

WHEREAS, all tree removal and planting will be in accordance with the plan review with the Shade Tree Commission; and

WHEREAS, upon final acceptance of the project by the Borough, the Borough will assume ongoing and routine maintenance of the dog park; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, hereby approve the dog park project at the Great Oak Park site; and

BE IT FURTHER RESOLVED, that the Mayor and Council approve the name of the dog park as the “Jill Schwertfeger Memorial Dog Park”, in memory of Ryan’s late mother who inspired him to undertake this initiative.

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

RESOLUTION 20-149 AWARD CONTRACT-BOSWELL-PATRIOTS WAY BRIDGE

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

WHEREAS, there is a need to replace superstructure of the Patriot’s Way Bridge and bring it into compliance with current design standards; and

WHEREAS, Boswell Engineering has submitted a proposal dated May 12, 2020 and revised May 18, 2020 for the design work required in an amount not to exceed \$ 210,000 broken down as follows:

Survey	\$ 10,100
Highway	\$ 46,880
Environmental Permitting	\$ 8,500
Structures & Utilities Engineering	\$ 114,920
Inspection During Design Phase	\$ 14,800
Municipal	\$ 14,800

WHEREAS, Boswell Engineering has submitted all the paperwork necessary to comply with the Borough of Oakland’s Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-763-504 \$ 150,000 and Account #C-04-56-763-505 \$ 60,000;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering for the design phase for the replacement of the superstructure of Patriots Way Bridge in an amount not to exceed \$ 210,000 as outlined in the May 18, 2020 proposal; and

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

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

RESOLUTION 20-150 CHAPTER 159 WELLNESS GRANT

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 contribution of \$10,000.00 from the Bergen Joint Insurance Fund for the purpose of conducting an Employee Wellness Program, 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:
BMED – Wellness Program.

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 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:
BMED – Wellness Program
Other Expenses - \$ 10,000.00

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, Talamini ,
Van Eck.

RESOLUTION 20-51 CHAPTER 159 COMMUNITY GARDEN

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 Sustainable New Jersey Grant in the amount of \$20,000 from the PSEG Foundation for the creation of a Community Garden 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:

Sustainable New Jersey – Community Garden.

BE IT FURTHER RESOLVED that a like sum of \$20,000.00 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:

Sustainable New Jersey – Community Garden

Other Expenses - \$ 20,000.00

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, Talamini ,
Van Eck.

RESOLUTION 20-152 AUTHORIZE GRANT APPLICATION-BUREAU OF JUSTICE ADMINISTRATION

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 is interested in submitting an application to the Bureau of Justice Administration FY20 Coronavirus Emergency Supplemental Funding Program for expenses related to the Coronavirus Public Health Emergency;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Police Chief Keith Sanzari to sign and submit the grant application to the Bureau of Justice Administration.

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

RESOLUTION 20-153 HIRE SEASONAL DPW LABORERS

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 hereby authorize the hiring of the following seasonal laborers for the Department of Public Works:

NAME	EFFECTIVE DATE	SALARY
Bradley Hildebrant	June 1, 2020	\$ 12.00/hour
James Lepone	June 1, 2020	\$ 12.00/hour
Francis Leonardis	June 1, 2020	\$ 12.00/hour

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

WORK SESSION:

PROPOSED ORDINANCE-CHICKENS:

Mayor Schwager commented that the Council had discussions on chickens in the past because a young resident wanted to have chickens and she asked the outcome. Councilman Pignatelli thinks what was proposed was to reduce the acreage to a lower amount. He does not think the ordinance should be amended for fowl. Councilman Biale stated that changing the acreage would preclude the young girl from raising chickens. Councilman Levy responded that her property backs up to an undevelopable property. Mayor Schwager advised that another resident is asking to raise chickens.

Councilman Knapp thought the discussion was to put a clause to ensure the enclosure was 10 to 15 feet off the property line. Mr. Chewcaskie advised that this was discussed several times but the Council did not make any decisions. Mr. Kunze advised that the only thing in the ordinances is that poultry can be kept on 1 acre or more of property. Mr. Chewcaskie advised this can be regulated by the size of the property or by providing appropriate setbacks. He advised that the Council has to be cognizant of the issues in town. Councilman Pignatelli advised that if chickens are permitted, there needs to be stringent requirements about cleaning feces, odor and limiting the number of chickens allowed. He stated roosters should not be allowed. Mayor Schwager asked if the Board of Health can discuss the issue if Mr. Chewcaskie circulates a sample ordinance.

CLEAN ENERGY DIRECT INSTALL PROGRAM:

Mr. Kunze advised that the Borough is working to take advantage of the clean energy program offered by the DEP. Upgrades to HVAC and boiler systems and upgrades to LED lights are qualified projects. Mr. Kunze looked at getting the Library HVAC replaced through this program but it was not deemed eligible. Mr. Kunze advised that an assessment is done and then the vendor determines how much the State will cover. It looks like the State would cover \$ 150,000 which would leave the Borough to pay \$ 130,000. This seems to be a good idea and it will result

in savings to the budget over the years. Councilman Talamini commented it sounds like a win-win situation. Mr. Kunze advised this is part of Sustainable Jersey as well.

NEW BUSINESS:

Councilman Pignatelli advised he was approached by First Aid Chief Goodrich to ask the Council whether they would consider lowering the LOSAP requirements for this year due to the COVID-19 crisis. Councilman Knapp advised he had asked Mr. Kunze regarding the Fire Department. He stated something needs to be done across the board.

Councilman Van Eck commented that the tennis courts have been opened and he asked about the batting cages. Mayor Schwager advised that the Governor's Executive Order allows batting cages to be open. Mr. Kunze responded that the batting cages are open.

OLD BUSINESS:

Councilman Pignatelli asked about the traffic study, the sign on I287 and repaving Skyline Drive. Borough Engineer John Yakimik responded that the County has the traffic information. The County has advised that the Borough will need to interpret the information and make a recommendation to the County regarding striping changes. He will need to give a proposal on interpreting the traffic information.

Mr. Yakimik advised that there have been a couple more accidents on 287. Last month, photos were sent to the State to emphasize how frequently accidents happen. We invoked help from the State representatives and sent them the study, traffic counts and accident history. Councilman Knapp asked if this can be escalated to the Governor. Mayor Schwager asked if the Federal Government has jurisdiction since it is an interstate. Mr. Chencaskie responded that the jurisdiction rests with the State. Councilman Pignatelli recommended sending letters to the legislators to put pressure on the DOT. Mayor Schwager asked if the weather has an effect on accidents. Councilman Knapp responded it does. A warning sign to slow down needs to be put on the northbound side. The rain and drainage issues are factors.

Councilman Pignatelli questioned paving on Skyline Drive. Mr. Yakimik responded he spoke to the Bergen County Engineer and reminded him of the fatality on Skyline. The B.C. Engineer promised he would fast track to install red suregrip. Councilman Knapp responded it will last only a year or two and then ice gets underneath and lifts it. Mr. Yakimik responded that if it is applied correctly, it will last approximately ten years. Councilman Talamini thought we had been talking about installing a rumble strip. Mr. Yakimik responded he did not receive a response from the County Engineer on this issue. Councilman Pignatelli thinks the rumble strip will do a better job.

COUNCIL REPORTS:

Councilman Van Eck: There has been no decision on the June Planning Board meeting. The Recreation Commission made the first level recommendations for safety. They are recommending auto soap dispensers and leaving bathroom doors ajar to keep little or no touch. They can get dispensers to spray Lysol at certain intervals. The Rec Commission will need to speak to the porta-potty vendor to determine their sanitation procedures. They would like Purell dispensers installed at all fields and outdoor handwashing stations with foot pedals. The Mothers Club gave a donation for Ipads for the summer camp counselors. The Recreation Commission is asking for wi-fi in the whole Recreation Complex. Tonight there is a meeting with the summer camp directors. The Recreation Commission will meet on Monday June 8th to discuss sports and summer camp. Councilman Van Eck thanked Mike Guadagnino for his leadership. The OCC would like to recognize graduates on This Week in Oakland. The next newsletter will be

available on June 1st. The Ponds Church is now submitting programming for airing on Channel 77.

Councilman Talamini: The Library is available online with services. The Governor advised that schools can have outdoor graduations beginning July 6th. The high school will hold graduation on July 29th. Indian Hills will graduate at 5 pm and Ramapo will graduate at 7 pm. The elementary schools are still planning to do virtual graduation. They are discussion outdoor graduation but if they do it outdoor, they would have to split it up. Both Superintendents wanted to thank the Mayor and Council and Chief Sanzari for their willingness to help. All 8th grade families were given a pizza since the 8th graders were supposed to be on their Philadelphia trip this week.

Councilman Biale: The Senior Center Director continues to coordinate volunteers for shopping for seniors. If anyone needs assistance, they should call the Senior Center. There is a free zoom fitness class that is open to the entire community. Tuesday at 12:00 is the Fit for Life class and Thursday at 3:00 is Zumba. The Senior Virtual Art exhibit is available to view on the website. The DPW has advised that the street sweeping program is starting up again. They recently completed the first of two required Borough-wide street sweepings. The DPW is asking residents to report potholes. The DPW has repaired 877 potholes to date. Fire hydrant flushing has begun and will be done in June, July and August. Electronics recycling will take place in June. Councilman Biale gave a shout out to Ron Beattie and the American Legion for the beautiful ceremony at Ponds cemetery on Memorial Day.

Councilman Pignatelli: He congratulated Dana Andro and Elizabeth Ochoa for volunteering for the Green Team. He congratulated Carol Peterson and Ali Fleeson for getting a \$ 20,000 grant for the community garden. This community garden is a great opportunity for the town. The Environmental Commission has come up with a unique way to have the town cleanup on June 13 and 14th. They are inviting families to clean up their favorite place in Oakland. Main roads should be avoided and wear masks and social distance when around other people.

Councilman Levy: The Flood Commission has not met. The Borough did a flood insurance seminar two weeks ago. It saved residents up to \$ 15,000 by helping them follow proper procedure. The Shade Tree Commission will meet via Zoom on the first Monday in June at 7 pm. They are working on finalizing the Shade Tree Ordinance and it has been submitted to the Borough Attorney for review. Councilman Levy reminded residents if they take a tree down, it must be replaced or pay into the Shade Tree fund.

Councilman Knapp: April was critical for the Police Department to implement procedures due to COVID. Officers will continue to follow procedures. The First Aid Squad responded to 21 ambulance requests in April and on-duty hours were 931. Year-to-date, they have responded to 186 calls. The Fire Department responded to 25 calls for 140 hours. Year-to-date, they have responded to 92 calls for 670 hours. The First Aid Squad and Fire Department are all volunteers. The Dog Park received approval and the lawn is being worked on at Great Oak Park. The bandshell is being pushed back but progress continues in Great Oak Park.

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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, Levy, Pignatelli, Talamini, Van Eck.

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Knapp, 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
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, Levy, Pignatelli, Talamini, Van Eck.

Discussion ensued over personnel matters. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Levy, seconded by Councilman Pignatelli, the Executive Session be closed.

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

REGULAR MEETING RECONVENED:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the meeting be reconvened.

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

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the meeting be adjourned at 9:42 pm.

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk

June 10, 2020

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager