

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JUNE 12, 2019

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Knapp, 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:
Contract; 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.

Discussion ensued over the Boswell contract for the Ramapo River Project; Personnel matters and Affordable Housing. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli. Absent: Councilman Talamini. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; David Young, Chief Financial Officer.

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.

EXCUSE ABSENCE:

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

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

MAYOR'S REPORT:

Mayor Schwager announced that Bergen County's first Unity in the Community Event will be held Sunday June 11th from 11 to 4 pm at Overpeck Park. It is sponsored by the Bergen County Crisis Intervention Team.

Mayor Schwager read the following Proclamation for LGBTQ Pride Month:

WHEREAS, fifty years ago, on June 27, 1969, the New York City Police Department raided the Stonewall Inn, a bar that was frequented by members of the lesbians, gay, bisexual, transgender and questioning, or LGBTQ community; and

WHEREAS, the Stonewall Riots marked the beginning of the liberation movement that transformed the oppression of LGBTQ people into calls of pride and action, and LGBTQ Pride Month, where we commemorate the events of June 1969 and commit to achieving equal justice under the law for LGBTQ Americans; and

WHEREAS, Oakland has a proud LGBTQ community, from all walks of life, which has the right to feel safe and not live with fear of harassment and persecution and not to be discriminated against; and

WHEREAS, LGBTQ youth are four times more likely to attempt suicide than their straight peers, and more than 1/3/ of LGBTQ youths have attempted suicide and nine out of ten LGBTQ youths report harassment at school, and three-fifths report feeling unsafe at school; and

WHEREAS, all people deserve to live with dignity and respect, free from fear and violence, and protected against discrimination, regardless of their gender identity or

sexual orientation. During LGBTQ Pride Month, we celebrate the proud legacy LGBTQ individuals have woven into the fabric of our Nation, we honor those who have fought to perfect our Union, and we continue our work to build a society where every child grows up knowing that their country supports them, is proud of them, and has a place for them exactly as they are.

NOW, THEREFORE, the Mayor and Council of the Borough of Oakland do hereby proclaim June 2019 as LGBTQ Pride Month in the Borough of Oakland.

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, Kulmala, Levy, Pignatelli.

Alison Fleeson, 59 Seton Hall Drive, commented that Oakland has always had a strong sense of community. In recent years, the allies of the LGBTQ community are gaining strength to fight for equitable rights. Although society is shifting to be more accepting, the LGBTQ community is still facing adversity. A display of support for Pride month would show residents and visitors that Oakland is accepting. She gave statistics for the LGBTQ community. The suicides are far higher than the national average. 41 % of transgenders attempt suicide. 1 out of 4 kids who come out to their parents are thrown out of their home. She spoke about how people in the LGBTQ community face unjust abuse.

Simone Snadler, 24 Academy Circle, is a teacher and adjunct profession. She has seen students kicked out of their homes and bullied for being gay. Many towns have the flag flown for gay pride so that those students feel liked they are accepted.

Maggie Stanzak, 18 Lear Ave, Bloomingdale, NJ, is a teacher and advisor for the Gay Straight Alliance at Indian Hills. The student organization has done fundraising for the homeless, sponsored a day of silence and held a Q & A session for students. There are 56 members consisting of students and faculty. The purpose of Pride month is to show support to people who have been persecuted by the peers. A banner would go a long way to show support.

Marisol Brage, 11 Mohawk, read a letter from her daughter who recently came out. She stated that by the town supporting Pride month will show support for the LGBTQ community. The symbol of gay pride will help others who feel alone.

Diana Peller, 165 Franklin Ave, is a teacher. She cannot emphasize the importance of the gay pride banner enough. The statistics are real even in our community. We have a responsibility to promote equality and acceptance by displaying the banner.

Marisol Kozlovski, Barnard Drive, commented that she has seen hate in many forms because of her ethnic background. The Borough should have a symbol to show acceptance and say it is ok to be different. We should send a message that Oakland is a safe community.

Rachel Fleishman, 70 Spear Street, former president of the Indian Hills Gay Straight Alliance, stated she supports the petition for a banner because it will spread awareness and Oakland will show support.

Annabelle Riggio, 82 Andrew, stated we have a lot of room for diversity. The first step to an inclusive Oakland is acknowledgement to the LGBTQ community. The banner symbolizes equality and support. This is an issue of human rights.

Nick Check, 18 Crosby Lane, stated there is misinformation about transgenders and spoke of harassment that transgenders receive.

Peter Kikot, 20 Minnehaha Blvd., stated the theme tonight is community. Oakland has a strong community but not diverse. He spoke about the rebuilding the Chamber of Commerce into the Community of Commerce to form a more inclusive group. He stated the proclamation is the first step. He spoke about a post on Facebook which he spoke about showing support for everyone in our community. He stated that humanity trumps politics.

Mayor Schwager commented on a Facebook post by Mr. Kikot stating what the colors of the flag stand for. Red represents life; orange is for healing; yellow represents sunlight; green stands for nature; blue is for harmony; and purple is for spirit.

Reverend Nathan Busker, 67 Dogwood Drive and pastor of Ponds Church, advised that Ponds Church is an open and affirming church. One of the families asked if the Church would fly a Pride flag. Reverend Busker receives emails from people who say how much the flag means to them. The Borough Council needs to be action behind their words.

Alexandra McCormick, 161 Manito Ave., commented that today is the anniversary of the shooting at Pulse in Orlando. She read a statement.

Aurora McNally, 617 Lawlins Rd, Wyckoff, is a transgender. It would matter a lot to see a Pride flag hanging in Oakland.

Erinda Kikot, 20 Minnehaha Blvd, stated there have been unkind messages on social media from unkind people. Most people in Oakland have love in their hearts and are accepting people. Let's show we accept the LGBTQ community.

Rachel Spina, 135 Franklin Ave, stated this is important for older people as well as younger. She did not come out as until she was 29 because she was afraid. She shouldn't have had to feel like she was silenced. She hopes the young community does not have to live in fear.

Sara Willox, 76 Seminole, current president of the Gay Straight Alliance at Indian Hills, stated that flying a Pride flag would be a symbol to the LGBTQ community that they are safe and accepted.

Peter Kikot, 20 Minnehaha, read his Facebook post on the colors of the Pride flag. He stated the Pride flag represents hope, healing, love, acceptance, inclusion and understanding.

Michael Rose, 655 Ramapo Valley Road, is not in favor of a flag. He supports people and they should not have to suffer but he is against flying a Pride flag. There are 14,000 people in Oakland and only 400 signed the petition. He feels people should fly flags on their own property but not town property.

Megan Check, 18 Crosby Lane, is in support of a display on municipal property. We need to show support to the LGBTQ community that they are safe here.

Maria Glaston, 51 Princeton Terrace stated it is not important to fly a flag but display anything that is rainbow for support.

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, Kulmala, Levy, Pignatelli.

GAY PRIDE BANNER:

Mayor Schwager commented that the town has only flown the American Flag and the POW flag. She spoke to Alison Fleeson and told her the town cannot fly a flag. The Mayor stated that the Council allows people to put up flags at Bush Plaza for events. She suggested that the Council could allow them to put a Pride banner up for June.

Motion to Permit a banner in Bush Plaza:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council approved the request of the Oakland Pride organization to put a banner at Bush Plaza for the remainder of the month of June.

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

INDIAN HILLS ACADEMIC DECATHALON TEAM:

Mr. Pavarotti, coach of the Indian Hills Decathlon team, advised that this year's team was extremely successful. They took first place in Regionals, second place in the States and ranked 5th in Nationals in Division IV. All the students are very dedicated and devote a tremendous amount of time. The following students received certificates from the Mayor for the outstanding achievements in Regionals, States and Nationals:

Tara Haymon	Harrison Chen	Sorab Taneja	Megan Swenson
Lydia Park	Grace Romitelli	Victoria Boyce	Leo Han
Daniel Apaza	Andrew Ruggiero	Alexandra McCormick	

APPROVAL OF MINUTES: MAY 22, 2019

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of May 22, 2019 be approved.

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

APPROVE RAFFLE LICENSE RL1361:

On motion of Councilman Biale, seconded by Councilman Knapp, approval be granted for Raffle License RL1361 for the Ramapo Bergen Animal Refuge Inc. to run carnival games on June 12, 13, 14 and 15th at the Oakland Recreation Fields.

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

APPOINTMENT PLANNING BOARD:

Mayor Schwager explained that Dan Hagberg's retirement left a vacancy for the Class II official. She moved Lee Haymon to fill the unexpired term as Class II official which will expire December 31, 2019. Mayor Schwager moved Joseph Marscovetra to fill Lee Haymon's unexpired term. The term will expire December 31, 2022. Mayor Schwager moved Gregory Liss to the unexpired

term as Alternate 1 which will expire December 31, 2020. Mayor Schwager appointed Andrea Levy to fill the unexpired term as Alternate 2. Her term will expire December 31, 2019.

APPOINTMENT-PUBLIC EVENTS:

Mayor Schwager nominated Robert Lascar to fill an unexpired 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 Robert Lascar to fill an unexpired term on the Public Events Committee. The term will expire on December 31, 2020.

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

APPOINTMENT-ENVIRONMENTAL COMMISSION:

Mayor Schwager nominated Jeffrey Smyrchinski to fill an unexpired term as Alternate 2 on the Environmental Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointment of Jeffrey Smyrchinski to an unexpired term as Alternate 2 on the Environmental Commission. The term will expire on December 31, 2019.

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

RESOLUTION 19-161 AUTHORIZE APPRAISALS-PHASE 3 FLOOD BUYOUTS

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 interested in acquiring five properties in the Lenape Lane area as part of a flood buyout program; and

WHEREAS, appraisals are required as part of the funding process; and

WHEREAS, the Borough has obtained a quotation from Joshua D. Mackoff, LLC in the amount of \$800.00 per property for a total amount of \$4,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #T-18-56-286-000; and

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

WHEREAS, Joshua D. Mackoff, LLC has complied with the Borough's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Joshua D. Mackoff, LLC in the amount of \$4,000.00; and

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

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

RESOLUTION 19-171 DEDICATION BY RIDER-BOROUGH PARKS & BEAUTIFICATION 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 Parks & Beautifications 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 Parks & Beautifications 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 Parks & Beautifications 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.

RESOLUTION 19-172 CHAPTER 159 FIRST AID SQUAD AMBULANCE

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 \$117,704.00 from the Oakland First Aid Squad for the purpose of purchasing an Ambulance, and wishes to amend its 2019 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:
Oakland First Aid Squad Ambulance.

BE IT FURTHER RESOLVED that a like sum of \$117,704.00 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:
Oakland First Aid Squad Ambulance
Other Expenses - \$ 117,704.00

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, Kulmala, Levy, Pignatelli.

RESOLUTION 19-173 SUPPORT COMMUNITY GARDEN

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

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Oakland strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to support community efforts to reduce waste, cut greenhouse gas emissions, and improve environmental equity; and

WHEREAS, food in the United States travels an average of 13,300 miles from farm to fork with much of the food spoiling during transit and eating locally produced foods reduces fuel consumption, carbon dioxide emissions, and other negative environmental consequences associated with the transportation of food; and

WHEREAS, one of the initiatives promoted by the Sustainable Jersey Program is to build on municipal owned land a community garden which provides access to land, offers technical support, and builds community connections that move beyond the garden fence; and

WHEREAS, the Sustainable Oakland Green Team wishes to establish and operate a community garden for the benefit of the Oakland residents;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland support the Sustainable Oakland Green Team's efforts of establishing and maintaining a community garden in Oakland.

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

**RESOLUTION 19-174 AMEND GRANT APPLICATION TO B.C. TRUST FUND
MUNICIPAL PARK IMPROVEMENT PROGRAM-TENNIS COURT RESURFACING**

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

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to non-profit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a matching grant of \$ 33,500 from the County Trust Fund to fund the following project: Resurfacing Oakland Recreation Complex Tennis Courts; and

WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body will hold the required Public Hearing to receive public comments on the proposed park improvements in the application on May 22, 2019; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 20, 2019, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Oakland has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Mayor and Council of the Borough of Oakland is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. That the Mayor and Council of the Borough of Oakland agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

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

RESOLUTION 19-175 AUTHORIZE RECREATION REFUNDS

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 various Recreation fees in the amount of \$ 340.00; 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:

Purvi Pareich, 51 W. Oakland Ave, Oakland, NJ 07436 amount due \$ 170.00 (open camp)
 Ina Baryla, 165 Hiawatha Blvd, Oakland, NJ 07436 amount due \$ 70.00 (Rec basketball)
 Julia Brodsky, 31 Hubbardton Rd, Wayne, NJ 07470 amount due \$ 50.00 (tennis badge)
 Elizabeth Pope, 16 Hunter Rd.N., North Haledon, NJ 07508, amount due \$ 50.00 (tennis badge)

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

RESOLUTION 19-176 AUTHORIZE LIQUOR LICENSE RENEWALS

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

WHEREAS, the licensees, herein named, filed applications for renewal of their Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the period from July 1, 2019 to June 30, 2020, and

WHEREAS, the said applicants have deposited the required fee of \$2,000.00 for said licenses, with the exception of the Club Licenses which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED that the renewals be issued to the following licenses, pending receipt of all required paperwork from the NJ State Division of Taxation, for the period from July 1, 2019 to June 30, 2020:

NAME	LOCATION	STATE NUMBER
Long Hill Liquors Inc.	14 Post Road	0242-44-004-006
Bistro 202, LLC	588 Ramapo Valley Road	0242-33-005-012
Hansil's Bar & Grill Inc.	7 Ramapo Valley Road	0242-33-011-004
Cenzino Ristorante LLC (Cenzino)	589 Ramapo Valley Road	0242-33-003-008

Beviamo, Inc.(Portobello)	155 Ramapo Valley Rd.	0242-33-010-003
Wolfpack, Ltd.(Timbers)	110 W. Oakland Ave.	0242-33-008-009
Valley Spirits, Inc.(Oakland Wine & Liquor)	390 Ramapo Valley Rd.	0242-44-006-005
G & H Restaurant Corp.(Oakland Diner)	72 Ramapo Valley Road	0242-33-009-006
Elks Lodge, B.P.O.E. 2167	33 Ramapo Valley Road	0242-31-014-001
American Legion Post 369	65 Oak Street	0242-31-013-001
Knights of Columbus 5846	7 Courthouse Place	0242-31-017-001
Buona Fortuna, Inc.(new Portobello)	175 Ramapo Valley Road	0242-33-002-004
PCJJ, LLC (W's Grill)	20 Elm Street	0242-33-007-012
Ruga Restaurant, LLC/dba Trovato's Due	4 Barbara Lane	0242-33-001-013
Holiday Spirits (Holiday Bowl)	29 Spruce Street	0242-33-012-004

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to submit one copy of a certified resolution to the Alcoholic Beverage Control Commission, Trenton, and one certified copy of this resolution to the State of New Jersey, Department of the Treasury, Beverage Tax Bureau, Trenton, New Jersey.

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

RESOLUTION 19-177 AUTHORIZE HIRE SUMMER CAMP STAFF

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

BE IT RESOLVED that the Mayor and Council hereby authorize the hiring of Summer Camp staff at their respective rates as per the attached list effective Monday June 24, 2019.

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

RESOLUTION 19-178 AWARD ENGINEERING CONTRACT-JEROME AVE. WATER MAIN REPLACEMENT

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 needs to replace the existing water main on Jerome Avenue; and

WHEREAS, there is a need for engineering services required for the project; and

WHEREAS, Boswell Engineering has submitted a proposal dated June 4, 2019 for the work required in an amount not to exceed \$ 12,000.00 broken down as follows; and

Task 1 Data Collection	\$ 500
Task 2 Design	\$ 3,500
Task 3 Construction Management/inspection	\$ 8,000

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-06-56-683-400;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the engineering services for the Jerome Avenue Emergency Water Main Replacement project at a cost to exceed \$ 12,000.00 as specified in their proposal; and

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

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

RESOLUTION 19-179 ACCRUED TIME PAYOUT-P. FITZGERALD

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 Patrick Fitzgerald for sick, vacation, personal and compensatory time accumulated in the amount of \$ 2,688.22; 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 \$ 2,688.22 composed of 82 hours of vacation time, 0 hours of sick time, and 24 hours of personal time and 22.5 hours compensatory time be paid out to Patrick Fitzgerald. 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, Kulmala, Levy, Pignatelli.

RESOLUTION 19-180 ACCRUED TIME PAYOUT-F. FIORE

On motion of Councilman Biale, seconded by Councilman Pignatelli, 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 Frank Fiore for sick, vacation, personal and compensatory time accumulated in the amount of \$ 30,380.70; 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 \$30,380.70 composed of 31 hours of vacation time, 324 hours of sick time, and 24 hours of personal time and 46.5 hours compensatory time be paid out to Frank Fiore. 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, Kulmala, Levy, Pignatelli.

RESOLUTION 19-181 APPOINT TAX COLLECTOR

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

WHEREAS, Lidia Leszczynski was appointed as the Borough of Oakland Tax Collector for the four (4) year term of January 1, 2017 through December 31, 2020; and

WHEREAS, Lidia Leszczynski has resigned from her position as the Borough of Oakland Tax Collector effective June 17, 2019; and

WHEREAS, the Borough of Oakland has a vacancy in the position of Tax Collector; and

WHEREAS, in accordance with N.J.S.A. 40A:9-142, vacancies other than due to expiration of the term of the Tax Collector, it shall be filled by appointment for the unexpired term; and

WHEREAS, the Borough Council has determined to appoint Debra Benigno to fill the vacancy for the unexpired term of the Tax Collector;

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

1. Debra Benigno is hereby appointed as the Tax Collector for the period of June 17, 2019 through December 31, 2020 in accordance with N.J.S.A. 40A:9-142.
2. Debra Benigno's annual salary shall be \$ 63,000.
3. This resolution shall take effect immediately.

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

RESOLUTION 19-183 AUTHORIZE GRANT APPLICATION TO HIGHLANDS COUNCIL

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 wishes to submit an application with the requested amount of \$ 44,800 to the Highlands Council for the Environmental and Economic Sustainability Grant Awards Program; and

WHEREAS, the Borough of Oakland would use the grant funding to prepare a Town Center Land Use Plan Element;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby endorse the grant application for the requested amount of \$ 44,800 to be submitted to the Highlands Council for the Environmental and Economic Sustainability Grant Awards Program; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement if received.

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

RESOLUTION 19-184 AWARD CONTRACT-SANDY BEACH APPRAISAL

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 interested in obtaining an Appraisal Report for the Sandy Beach Property, Block 2302, Lot 1; and

WHEREAS, the Borough has obtained a quotation from Hendricks Appraisal Company, LLC in the amount of \$6,000.00; and

WHEREAS, the Borough desires to retain the services of Hendricks Appraisal Company, LLC for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Borough does hereby retain Hendricks Appraisal Company, LLC in order to prepare an Appraisal Report for Block 2302, Lot 1; and

BE IT FURTHER RESOLVED that the Borough shall pay Hendricks Appraisal Company, LLC the sum of \$6,000.00 for this appraisal, in accordance with the proposal annexed hereto; and

BE IT FURTHER RESOLVED that the Borough Administrator shall prepare a contract for the services to be performed by f for this professional service, for which no public bidding is required; and

BE IT FURTHER RESOLVED that Hendricks Appraisal Company has complied with the Borough of Oakland's Pay-to-Play requirements; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Account #T-18-56-286-000; and

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

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

RESOLUTION 19-185 AWARD CONTRACT-AGNOLI-RAMAPO RIVER RESTORATION PHASE 3

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 going to undertake a Ramapo River Restoration Project; and

WHEREAS, Agnoli Engineering has submitted a proposal dated March 28, 2019, for engineering services for Phase 3 of the project in an amount not to exceed \$ 60,975.00; and

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-04-56-691-401 \$ 12,110.25 and Account #C-04-56-690-502 \$ 48,864.75;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize a contract to Agnoli Engineering for engineering services for Phase 3 of the Ramapo River Restoration Project in an amount not to exceed \$60,975.00 as specified in their Proposal dated March 28, 2019; and

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

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

RESOLUTION 19-186 APPOINT PART-TIME CLERK TYPIST

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 hire a part-time clerk typist in the Construction Office;

NOW, THEREFORE, BE IT RESOLVED that Diane McLean be appointed as part-time clerk typist at a rate of \$28.00 per hour effective Monday June 10, 2019.

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

RESOLUTION 19-187 CO-SPONSORSHIP AGREEMENT-CARNIVAL

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 and the Ramapo Bergen Animal Refuge Inc. of Oakland wish to co-sponsor the 2019 Oakland carnival; and

WHEREAS, the Borough of Oakland and the Ramapo Bergen Animal Refuge Inc. have determined that it is in the best interest of the Borough and the Ramapo Bergen Animal Refuge Inc. to enter into a Co-Sponsorship Agreement in order to set forth the respective responsibilities with respect to the carnival and to authorize the execution of the Co-Sponsorship Agreement.

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 Co-Sponsorship Agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Ramapo Bergen Animal Refuge Inc.

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

WORK SESSION:

PROPERTY MAINTENANCE:

Mr. Kunze advised that the Borough needs to address property maintenance issues. Mr. Kunze has had discussions with the new Construction Official on how to change the current process. Accomplishing this will be a multi-pronged approach. We just hired a clerk to help revamp the system on the administrative end. She will help prepare notices of violation and track. At the last meeting, we hired temporary inspectors who will devote time to property maintenance inspections. In the long term, it will be mean additional administrative support and a new part-time employee dedicated to property maintenance. Instead of being complaint based, the inspector will need to spend time riding around looking for potential violations. In the same manner, the Police and DPW employees can be additional resources. John Wittekind has already approached our Police Department to enlist assistance. Also, there needs to be changes to the code.

Councilman Pignatelli stated the biggest complaint is foreclosed properties and bank owned properties. Councilman Levy thinks we should be aggressive about property maintenance. Mayor Schwager advised if the property owner won't do the work, we can do the work and put a lien on the property. Mr. Kunze explained that we can do a vacant property registration ordinance. This would require banks to provide contact information and would require an annual fee. Councilman Biale asked residents to be the eyes and ears of the community. Councilman Kulmala is interested in an abandoned property list. Mr. Kunze will sit with the new Construction Official to go over this.

RESOLUTION OPPOSING ORANGE & ROCKLAND RATE INCREASE:

Mayor Schwager stated people are complaining about the high bills since the smart meters were installed. Orange & Rockland is proposing a rate hike. Some other municipalities are passing resolutions to oppose the proposed rate hike. This will be listed on the next agenda.

BERGEN COUNTY COMMUNITY DEVELOPMENT REPRESENTATIVES:

Mr. Kunze explained that Community Development is now requiring alternates be appointed for the Council appointment and the Mayor's appointment. It was determined that Councilman Biale would be the Council representative with Councilman Levy as alternate. Richard Kunze will be the Mayor's representative and Michael Carelli will be the alternate. The resolution will be listed on the next agenda.

2019 CAPITAL PROGRAM:

Mr. Kunze explained that there have been some changes to the Capital plan since budget preparation. There was a \$10,000 reduction for the roller hockey rink. There was an increase in sidewalk repairs to offset the NJDOT grant we were awarded to install sidewalks on Ramapo Valley Road. The renovations of the dispatch area was removed. Regarding Police Department building upgrades, there is a new line for \$15,000 to cover the renovation of the ladies locker room. It will be offset by the cancellation of \$15,000 from the 2018 allocation for renovation of the Detective Bureau. The Police Department computer network cost increased to \$ 190,000. The Van Allen House interior renovations increased by \$ 25,000 to \$ 265,000. In total, the plan would cost \$3,661,750 for all projects and purchases. \$1,020,275 would be required for the fully-funded items, down payments and contribution to the capital fund for the replacement fire apparatus.

Councilman Pignatelli questioned what we are spending the additional money on for the Van Allen House. Mr. Kunze responded it is for interior renovations. Councilman Levy asked if this included mold remediation and permits. Councilman Kulmala asked if we ever got an engineering report for the Van Allen House. Mr. Kunze responded that we did not hire an independent engineer. He advised that the second phase of exterior renovations is underway. Councilman Pignatelli would like the Historical Society to do fundraising. Mr. Kunze advised that over 50% of the work being done is covered by grants of \$150,000.

Councilman Kulmala asked about the increase for the Police computer project. Mr. Kunze advised that the Police kept doing research on the scope of the project and what they were going to need and this is the number they provided. He can get further details.

A bond ordinance and capital purchase ordinance will be prepared for the next meeting.

COUNCIL REPORTS:

Councilman Kulmala: The last day of school is June 21st. The Valley Middle School graduation will be June 19th at 5:30 pm. The Public Events carnival is tonight from 6 to 10 pm. Wristbands are available at the carnival at a cost of \$25 for Wednesday and Thursday and \$30 for Friday and Saturday. The fireworks will be held Friday with a raindate of Saturday. This is the last week of football sign ups prior to a late fee being assessed. Soccer signups are ongoing and after June 30th, there will be a waitlist. The cheerleading signups are until June 30th and then a late fee will be assessed. The summer camp information is on the Recreation website. There is a new Recreation program for competitive cheer. On Monday June 17th, there will be an induction ceremony for the Recreation Hall of Fame. Kevin Cleary, Paul Marcazo and Bobby Calderon on this year's inductees. Recreation has shut down all activities that would affect parking for the carnival. The tennis courts will be closed. Bids have been sent out for the Roller Hockey rink.

Councilman Biale: The Seniors will have a weekly movie on Mondays. There is a new email list. The weekly walking club is held on Tuesdays for May and June. There will be a special guest each week. The Start of Summer Bash will be held June 20th. The milling and paving for the 2018 Road project is complete. The line striping will be done this week and next week. 40 of the 56 new shade trees have been planted. Thanks to Ed Clark for developing this project. On Monday June 17th, the annual fire hydrant flushing project will begin. The work began on the exterior renovations at the Van Allen House. We are getting the bid together for the dismantling of the Stream House.

Councilman Pignatelli: He attended the Green Team meeting on May 28th. They spoke about the Styrofoam business program, the anti-idling program and plastic collection. We currently have 245 points towards Bronze certification. 350 points are needed for Silver certification. Councilman Kulmala and Councilman Biale attended the Environmental Commission meeting to answer questions on the water report.

Councilman Levy: The Shade Tree commission meets the first Monday of the month. They are working on rewriting the Shade Tree ordinances. The Flood Commission met the second Monday of the month but did not have a quorum. The Flood Commission can use new members. There is a lot of evidence of stream dumping. That is against the law and people can get fined. On August 28th, the Ramapo River and its tributaries will be reclassified a C1 stream. The Planning Board meets tomorrow night in the Council Chambers.

Councilman Knapp: The Public Safety Committee met to interview three Police candidates to hire. Municipal Alliance has not met. The Great Oak Park Committee is working with the Borough on the process to purchase the Bandshell. The parking lot will be repaved using a grant.

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, Kulmala, Levy, Pignatelli.

Mike Guadagnino, 34 Hopper, thanked the Mayor and Council for approving the grant application for the tennis courts resurfacing. There are no structural faults with the tennis courts. Maintenance work is required after 50 to 10 years. Our courts are 10 years old. There are minor cracks which are being repaired now. We are not asking the taxpayers for money. Whatever we don't get from the grant will be paid from the Recreation Trust. He did state that the tennis courts get a lot of use. Councilman Levy advised that the cost is not bad for the maintenance cycle.

Don Sena, 47 Thackeray Road, asked when the Mayor and Council will discuss the school board election. Councilman Pignatelli advised that the Board of Education conducted a survey. 850 people responded and 580 want the election in April. Mayor Schwager asked that the discussion be put on work session for the next meeting. Councilman Biale suggested it be put on as a referendum question.

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, Kulmala, Levy, Pignatelli.

BILLS TO BE PAID:

On motion of Councilman Levy, 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.

MEETING ADJOURNED:

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

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

Lisa M. Duncan, Borough Clerk
June 26, 2019

Mayor Linda H. Schwager

Date Approved