

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA ZOOM VIDEO CONFERENCING
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY SEPTEMBER 23, 2020

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, Kulmala, Pignatelli, Talamini, Van Eck. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced 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 there is still time to submit the census form. It is important to respond because it affects our federal funding and representatives in Congress. Mayor Schwager advised she is getting questions every day regarding the election. She advised that all registered voters will be sent a vote-by-mail ballot with a prepaid envelope. It can be returned by US mail and the ballot can be tracked on the County Clerk's website. The ballot can be put in a ballot drop box and there will be one located by the Borough Hall. The ballots can be brought to polling locations on Election Day and dropped in the ballot box. If a voter shows up at the polls on Election Day and has not submitted their vote-by-mail ballot, they will be given a paper ballot to fill out. The only people who can vote in the voting machine on Election Day are blind and illiterate people. The deadline to register to vote is October 13th and registration can be done online. The meeting regarding sewers is being held September 30th. Letters were sent to all residents affected by the sewer treatment plants. The question was asked if the Borough can provide a venue for those who cannot connect to the meeting via Zoom. The Senior Center will be open but there is a maximum of 25 people. Anyone who wishes to attend at the Senior Center must pre-register. Mayor Schwager asked residents to send their questions ahead of time so they can have answers on the 30th. The Stream House demolition is starting with asbestos removal that is scheduled for the end of next week.

OPENED FOR PUBLIC COMMENT:

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

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

Kevin Bagar, 101 West Oakland Ave., spoke as a follow up to last meeting on his issue with Optimum at the Copper Tree Mall. He stated that there haven't been any outages this week. He

thanked the Council for their time last meeting and thanked the Borough Administrator and Councilman Knapp for their correspondence.

Rachel Gregory, 2 Kiowa Terrace, asked if the sewer meeting can be posted on YouTube afterwards so it can be viewed at a later time.

CLOSED FOR PUBLIC COMMENT:

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

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

APPROVAL OF MINUTES: AUGUST 26, 2020

On motion of Councilman Biale, seconded by Councilman Knapp, the minutes from the Mayor and Council meeting of August 26, 2020 be approved.

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

APPROVAL OF MINUTES: SEPTEMBER 9, 2020

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the minutes from the Mayor and Council meeting of September 9, 2020 be approved.

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

APPROVAL OF MINUTES: SEPTEMBER 9, 2020 EXECUTIVE SESSION

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the minutes from the Mayor and Council Executive Session of September 9, 2020 be approved.

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

APPOINTMENT: PUBLIC EVENTS COMMITTEE

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

Motion to Consent:

On Motion of Councilman Biale, seconded by Councilman Knapp, the Council consented to the appointment of Kevin Bagar to a three-year term on the Public Events Committee. The term will expire December 31, 2022.

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

RESOLUTION 20-84 LIQUOR LICENSE TRANSFER

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

WHEREAS, the application has been made to transfer Person-to-Person, Plenary Retail Consumption License No. 0242-33-005-012 presently in the name of Bistro 202 LLC heretofore located at 588 Ramapo Valley Road, Oakland, New Jersey to the corporation known as Tree House Hospitality LLC located at the same address.

WHEREAS, an application for such Person-to-Person Transfer has been published in The Record on January 18, 2020 and January 25, 2020 and

WHEREAS, the Division of Alcoholic Beverages Control has requested that a resolution adopted by the Mayor and Council approving such transfer complying with N.J.A.C. 13:2-7.10, and

WHEREAS, the said applications have been filed along with the required fee of \$200 for said license with the Borough and a \$200.00 check made payable to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the necessary background checks have been completed by the Oakland Police Department and the Alcoholic Beverage Retail Licensee Clearance Certificate (Transfer) from the State of New Jersey, Department of the Treasury, Division of Taxation has been received.

NOW, THEREFORE, BE IT RESOLVED said Person-to-Person Transfer is approved and the Borough Clerk be directed to send a certified copy of this resolution to the Alcoholic Beverage Control Commission, Trenton, New Jersey together with a \$200.00 check made payable to the Alcoholic Beverage Control Commission.

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

RESOLUTION 20-207 AUTHORIZE RELEASE OF GUARANTEES-CHILDREN'S THERAPY CENTER

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

WHEREAS, The Children's Therapy Center posted Site Improvement Performance Bonds with the Borough of Oakland, one in the form of a bond or letter of credit in the amount of \$115,000.00 and a cash performance bond in the amount of \$91,800.00; and

WHEREAS, the aforementioned Site Improvement Bonds were posted in connection with on site improvements at 125 Bauer Drive; and

WHEREAS, all site work has been completed by The Children's Therapy Center and same has been inspected and approved by the Borough Engineer; and

WHEREAS, The Children's Therapy Center has requested a release of the Site Improvement Performance Bonds.

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

1. The site improvements required to be completed by The Children's Therapy Center at the property located at Block 3601, Lot 40, commonly known as 125 Bauer Drive have been completed.
2. Based upon the recommendation of the Borough Engineer, the Mayor and Council authorize the release of the bond or letter of credit in the amount of \$115,000.00 and the cash performance bond in the amount of \$91,800.00.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to: (i) the Chief Financial Officer of the Borough of Oakland; (ii) the Construction Code Official of the Borough of Oakland; (iii) the Borough Engineer of the Borough of Oakland; (iv) The Children's Therapy Center; (iv) Brian M. Chewcaskie, Borough Attorney.

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

RESOLUTION 20-234 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 Recreation fees; and

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

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

Hartman Family, 107 Ent Road, Hanscom AFB, MA 01731, amt. \$ 78 (Rec Baseball)
 O'Neil Family, 47 West Sheffield St, Oakland, NJ, amount \$ 68 (Tball)
 Walters Family, 176 Hiawatha Blvd, Oakland, amount \$ 260 (Rec Tackle Football)
 Utter Family, 29 River Dell, Oakland, NJ, amount \$ 68 (Tball)
 Cornett-DeFeo Family, 19 Rockaway Ave, Oakland, NJ, amount \$ 73 (flag football)

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

RESOLUTION 20-235 ENDORSE CDBG APPLICATION FOR THE ARC, 3 POST ROAD

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

WHEREAS, a Bergen County Community Development Grant of \$ 17,500 has been proposed by The Arc of Bergen and Passaic Counties Inc. for replacement of an HVAC Unit at their building at 3 Post Road, Oakland; and

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

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

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

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

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program, Robert Esposito, via email to cdbgapp@co.bergen.nj.us with a copy to Kathy Walsh, President/CEO of The Arc, via email to kwalsh@arcbp.com so that implementation of the aforesaid project may be expedited.

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

RESOLUTION 20-236 AUTHORIZE REFUND TAXES-33 WINDING RIDGE

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

WHEREAS, the Borough of Oakland has received a request from Eric & Ann Seader, 33 Winding Ridge, Oakland, NJ for a refund of taxes due to a duplicate payment; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
1201/23	33 Winding Ridge	\$ 3,953.26

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

RESOLUTION 20-237 AUTHORIZE REFUND TAXES-21 ANDREW AVE.

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

WHEREAS, the Borough of Oakland has received a request from Bart & Heather Tirino, 21 Andrew Ave, Oakland, NJ for a refund of taxes due to a duplicate payment; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
5305/17	21 Andrew Ave.	\$ 2,736.34

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

RESOLUTION 20-238 AUTHORIZE REFUND TAXES-5 SIOUX AVE.

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

WHEREAS, the Borough of Oakland has received a request from Bart & Heather Tirino, 21 Andrew Ave, Oakland, NJ for a refund of taxes due to a duplicate payment; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
5305/17	21 Andrew Ave.	\$ 2,736.34

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

RESOLUTION 20-239 AUTHORIZE REFUND TAXES-5 ASPEN WAY

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

WHEREAS, the Borough of Oakland has received a request from Jennifer Giampietro, 5 Aspen Way, Oakland, NJ for a refund of taxes due to a duplicate payment; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
1901/30	5 Aspen Way	\$ 2,593.53

BE IT FURTHER RESOLVED that the payment should be mailed to 675 Birchwood Drive, Wyckoff, NJ.

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

RESOLUTION 20-240 NON-UNION SALARY

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 following non-union salaries are effective January 1, 2020:

BOROUGH OF OAKLAND NON-UNION SALARIES

NAME	POSITION	2019 SALARY	2020 SALARY	Notes
Antoshak, Sam	Fire Inspector	25.00	25.96	PT Hourly
Baron, Dawn	Court Administrator	68,689	70,439	
Bauberger, Roy	OEM Coordinator	8,829	9,006	Stipend
Bauberger, Roy	Flood Control Commissioner	3,674	3,747	Stipend
Benigno, Debra	Tax Collector	63,000	64,750	
Buonocore, Thomas	Municipal Judge	26,000	26,520	PT
Carelli, Michael	Assistant to the Administrator	46,100	47,850	

Carelli, Michael	Deputy Borough Clerk		5,000	Stipend
Carelli, Michael	Deputy Registrar	2,000	2,040	Stipend
Cellini, Robert	Building Subcode Official	10,000	10,200	Stipend
Cellini, Robert	Building Inspector	24,724	25,219	PT
Davis, Christine	Confidential Secretary - Police Dept.	52,912	54,662	
Dies, Vincent	Code Enforcement Officer		20.00	PT Hourly
Duncan, Lisa	Borough Clerk	79,065	80,815	
Duncan, Jason	Safety Coordinator	3,000	3,060	Stipend
Farley, Terry	Right to Know Coordinator	4,000	4,080	Stipend
Holzhauser, Scott	Tax Assessor	53,709	54,783	PT
Gurney, Kathlyn	Confidential Assistant - Adm.	59,883	61,633	
				Per
Gurney, Kathlyn	Planning and Zoning Board Secretary	328.36	334.93	Meeting
Gurney, Kathlyn	Municipal Housing Liaison	1,500	1,500	Stipend
Greco, Susan	Program Aide - Seniors	17.98	18.94	PT Hourly
Knubel, Denny	Fire Inspector	25.00	25.96	PT Hourly
Kunze, Richard	Borough Administrator	170,390	173,798	
Marcucilli, Anthony	Superintendent of Public Works	120,169	122,573	
McMahon, John	Bus Driver - Seniors	21.46	22.42	PT Hourly
McMahon, Michael	Assistant Superintendent of Public Works	103,357	105,424	
Pellegrini, Vincent	Plumbing Subcode Official	20,000	20,400	PT
Preciado, Arielle	Senior Citizens Director	56,750	58,500	
Sanzari, Keith	Police Chief	165,000	175,000	
Young, David	Treasurer / CFO	92,000	93,840	1/1/2020 - 1/25/2020
Young, David	Treasurer / CFO		98,840	Effective 1/26/2020
Various	Crossing Guards - Step 1	17.72	18.08	PT Hourly
	Crossing Guards - Step 2	19.73	20.12	PT Hourly
Various	Per Diem Dispatchers - Step 1	20.50	20.91	PT Hourly
	Per Diem Dispatchers - Step 2	25.63	26.14	PT Hourly
Various	Police Matrons	25.00	25.50	PT Hourly
Various	Secretary - Boards / Commissions	1,200	1,200	Stipend
Firefighters	Fire Chief	3,875	3,875	Stipend
	Assistant Chiefs	3,125	3,125	Stipend
	Captains	2,313	2,313	Stipend
	Lieutenants	1,563	1,563	Stipend
	Secretary - Boards / Commissions	1,550	1,550	Stipend
	Fire Mechanic	1,156	1,156	Stipend

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

RESOLUTION 20-242 AWARD CONTRACT-NETWORK UPGRADE

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

WHEREAS, there is a need to upgrade the Borough of Oakland's virtual desktop system including adding a new Dell Storage Area Network or Storage Array; and

WHEREAS, Altitude Unlimited Inc., 1050 Wall Street West, Suite 203, Lyndhurst, Nj 07071 has NJ State Contract #88130 for the services as specified in their Quote #111119-4624-04 dated September 4, 2020 in the amount of \$ 37,001.15; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-809-203 \$35,000.00 and Account # C-04-56-809-201 \$ 2,001.15;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the award of the contract for the Borough of Oakland's network upgrade to Altitude Unlimited, Inc. as per the Quote dated September 4, 2020 in the amount of \$ 37,001.15.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to issue a Purchase Order to Altitude Unlimited, Inc. in the amount of \$ 37,001.15.

Councilman Pignatelli asked for an explanation of work being done. Mr. Kunze advised that this is meant to add system redundancy and also to increase system performance. This will enable the Borough to take advantage of speed with the fiber network project.

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

RESOLUTION 20-243 AUTHORIZE LIEN-48 RIVERSIDE DRIVE

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 Zoning Officer has advised that the property located at 48 Riverside Drive. and identified as Block 2004, Lot 19 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$ 4,475.88 in order to clean up the property at 48 Riverside Drive; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

WHEREAS, a report dated September 4, 2020 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 48 Riverside Drive the sum of \$ 4,475.88 being the amount due pursuant to the report dated September 4, 2020.

BE IT FURTHER RESOLVED that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 48 Riverside Drive by certified mail, return receipt requested.

BE IT FURTHER RESOLVED that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

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

RESOLUTION 20-244 AUTHORIZE SURPLUS PROPERTY AUCTION

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

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

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

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

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

YEAR	MAKE / MODEL	VIN #	PLATE #
2003	Ford F-250 Pick Up & 8' Western uni-mount Plow	1FTNF21L43EB02868	
2000	Ford F-250 Pick up & 9' Western uni-mount plow	1FTNF21L6YED93493	
2001	Landscape trailer	4X4TSEZ2X1N053649	
2012	Chevy Tahoe		
2019	(2) Chevy Tahoe rear seats		
2020	(2) Chevy Tahoe rear seats		
	Progressive 65-2 tri-deck tow behind lawn mower		
	88 Cushman Truckster	1GUAM222HL010595	
	Coats 650 Wheel balancer		
	Coats 5030 Tire mounting machine		
	ONAN Generator Model 12.0DJC-18R/12053AA	Serial #B780304144	
	Accuturn Brake Lathe Model 8922	Serial #NO-S10125-OU	

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

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

RESOLUTION 20-245 AUTHORIZE SHARED SERVICE AGREEMENT WITH BERGEN COUNTY-ELECTRONIC PROCUREMENT SYSTEM

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

WHEREAS, the Borough of Oakland is desirous of utilizing the County Owned Bonefire E-procurement Software Services; and

WHEREAS, the Borough of Oakland will enter into a Shared Services Agreement with the County of Bergen in connection with the sharing of the Bonefire E-procurement Software Services; and

WHEREAS, this agreement benefits the Municipality and its citizens by allowing the Borough a needed service at a most effective cost;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that the Mayor be and is hereby authorized and directed to execute the Shared Services Agreement regarding the sharing of County Owned Bonefire E-procurement Software Services which agreement is annexed hereto and made a part hereof.

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

INTRODUCTION: ORDINANCE NO. 20-BOND-814

The Clerk was directed to take from table Ordinance No. 20-Bond-814 and read by title for its first reading.

The Clerk then read by title Ordinance No. 20-Bond-814 entitled: " BOND ORDINANCE TO AMEND SECTION 4.B OF THE BOND ORDINANCE (ORD. NO. 11-638) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE SEWER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$697,000 TO PAY THE COST

THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON MARCH 9, 2011."

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

BE IT RESOLVED that an Ordinance entitled, " Bond Ordinance To Amend Section 4.B Of The Bond Ordinance (Ord. No. 11-638) Entitled: "Bond Ordinance To Authorize The Making Of Various Public Improvements In, By And For The Sewer Utility Of The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$697,000 To Pay The Cost Thereof, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds," Adopted On March 9, 2011.", be introduced;

That said Ordinance be considered for final adoption at a meeting on October 28, 2020 at the Mayor and Council meeting to be held via Zoom Video Conference at 7:30 P.M.

That said Ordinance be published in full in The Record on or before September 28, 2020 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

RESOLUTION 20-241 INTRODUCTION OF BOND ORDINANCE

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 ordinance entitled:

"BOND ORDINANCE TO AMEND SECTION 4.B OF THE BOND ORDINANCE (ORD. NO. 11-638) ENTITLED: 'BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE SEWER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$697,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS,' ADOPTED ON MARCH 9, 2011."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of October, 2020, at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

FINAL PUBLIC HEARING: ORDINANCE NO. 20-CODE-812

The Clerk was directed to take from the table Ordinance No. 20-Code-812 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND TO STANDARDIZE AND REGULATE ALARM SYSTEMS WITHIN THE BOROUGH."

OPENED FOR PUBLIC COMMENT:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland To Standardize And Regulate Alarm Systems Within The Borough, be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

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

WORK SESSION:

AMEND SALARY ORDINANCE:

Mr. Kunze advised that a draft revision to the salary ordinance has been provided. He explained that all salary ranges have to be authorized by the Mayor and Council by ordinance. It is updated when necessary, usually after ratification of labor agreements. He explained that there are some adjustments to titles based on organizational changes. He referenced the new statutory minimum in a few spots. This ordinance is meant to cover the full term of labor agreements that run through 2024.

Mayor Schwager asked why the minimums need to be changed. Mr. Kunze explained that some adjustments to minimums are based on staff equity issues. Councilman Knapp stated the Borough Administrator salary jumps \$ 20,000. Mr. Kunze explained that with salaries that were not covered by union contracts, he extrapolated out five years and rounded up. Mayor Schwager thinks it is important to know what salary everyone is currently making. She wants a list of employee salaries at the next meeting. Councilman Knapp also asked for a spreadsheet indicating the minimum salary, current employee's salary, how long they are in the position, and the maximum salary. Councilman Pignatelli commented that even though the maximum is stated in the ordinance does not mean the maximum salary needs to be given. Mayor Schwager stated that the Governing Body has the right to know current employee salaries. Councilman Knapp commented it would help understand the scale.

IN-PERSON COUNCIL MEETINGS:

Mr Kunze advised that diagrams for the two different scenarios were distributed in the packet. If the Council meets at the Council Chambers, there is no room for public. If the Council meets in the Senior Center, there is room for 12 to 15 members of the public. The meeting would have to be streamed live via YouTube and not on Channel 77.

Councilman Knapp advised that his opinion is that the Council does not do in-person meetings yet. The Zoom meetings have been much more professional lately. The Covid cases are increasing. He does not see a huge advantage to all be in the same room. Councilman Van Eck likes the Senior Center option because it is more spaced out but he is concerned that it would not be broadcast on Channel 77. He stated it would almost defeat the purpose of meeting in person if no public can come in.

Councilman Pignatelli would rather be in the Council Chambers. He stated that there are still people talking over each other in the Zoom meetings. Councilman Knapp stated this happens at in-person meetings as well. He stated that the Council has never had as much input from the public in-person as they have done on Zoom.

Mayor Schwager is not comfortable meeting in Council Chambers because she is not sure of the air quality. She would be more comfortable in the Senior Center. There are still some towns that have not opened their municipal buildings to the public. The Borough has been open to the public and has been following CDC guidelines. The numbers are starting to spike so caution needs to be exercised about public meetings. Councilman Van Eck stated that maybe we should look at putting filters on the HVAC system. Mayor Schwager stated that the courts are not open to the public yet. The earliest the courts would open is spring 2021. She would rather be safe and cautious.

Councilman Biale agreed with Councilman Knapp. We are coming into different territory with the winter months. Most heating systems are recirculatory. If the virus is in the air, it will be recirculated in the heating system. He thinks the Council should wait to see what happens with the virus in the fall and winter months. Some of the Governing Body members are in a high risk category. He has a new grandchild coming and doesn't want to take any chances by meeting in-person. If the Council has to meet in-person, then the Senior Center would be a good venue. Councilman Knapp stated that if the meetings are held in the Senior Center, we can only allow 15 people in. There is a better opportunity for the public to view the meeting online.

Councilman Talamini advised that schools have been installing filters on their HVAC systems. He stated that eventually the Council is going to have to meet in person. The Council will get more done together. He understands other people's concerns and doesn't want to push them bu

the soon the Council can meet in person, the better. Mayor Schwager is nervous about being close to people. She feels closed in at the Council Chambers. She wants to wait. If one of the Council members test positive, everyone must quarantine. Councilman Pignatelli thinks that there needs to be a unanimous decision to go back to in-person meetings. The Council should honor the feelings of those who don't want to meet in person.

Councilman Kulmala stated that the Council has to go back to normal. He agrees with having meetings at the Senior Center. He asked if work was done on the HVAC system at the Senior Center. Mr. Kunze responded that an air conditioning unit was replaced. Councilman Biale stated that someone should look at the circulation system. Councilman Kulmala asked if the Seniors are meeting at the Senior Center. Mr. Kunze responded there will be limited in-person activities starting in October. He advised that certain protocols will be followed such as temperature checks, social distancing and health checks. Councilman Kulmala stated that the sewer meeting is being held at the Senior Center. Mr. Kunze responded it is only going to be a viewing station for anyone who cannot access Zoom and there is a maximum of 25 people who can be in the building.

Councilman Van Eck asked if everyone would be more comfortable if a filter was added to the HVAC system. Mayor Schwager responded only at the Senior Center because she is not comfortable in Council Chambers. Councilman Pignatelli asked about mitigation for the Council Chambers. Mr. Kunze responded that the Borough has a UV system for cleaning and disinfecting. Councilman Kulmala stated there are people who don't have technology so the Council should meet in-person. He wants a report on the HVAC system in the Senior Center at the next meeting. Mayor Schwager stated it has to be a unanimous decision. Councilman Pignatelli stated it would be good to assess the HVAC system for the Seniors who use the facility as well. Councilman Van Eck stated the Council made good progress in this discussion. He stated the Council has to go back to in-person meetings soon. Mayor Schwager stated that more schools are going back in-person in the next few weeks. The Council has to make a wise decision.

REQUEST FOR APPROVAL FOR VERIZON WIRELESS SMALL CELL PROJECTS:

Mr. Chewcaskie stated he is trying to develop a 5G ordinance but a request has been made by Verizon Wireless for an ongoing project on Route 202. Verizon Wireless received permission from the County to do the project. They are in Mahwah now. The statute indicates they need consent of the Governing Body. Mr. Chewcaskie does not see the ability to deny the request since it is in the County right-of-way. A resolution will be prepared for the next meeting.

Mr. Chewcaskie advised that regulations should be put in place for the municipal right-of-way. He recommends adopting an ordinance to establish criteria. Councilman Talamini asked what kind of criteria would be established. Mr. Chewcaskie responded it would encourage use of existing poles. It would establish criteria on installation of poles in the intersection that may affect sight lines. Councilman Pignatelli stated that it seems there are more power outages and no one talks about putting utilities underground. Councilman Talamini asked if the 5G can be put underground. Mr. Chewcaskie responded that this project are nodes that have to be above-ground. Councilman Knapp stated the issue in Oakland is the terrain and the rocks. It is costly to do underground utilities. Councilman Kulmala asked if this ordinance is going to be a broad ordinance and address all carriers. Mr. Chewcaskie stated the issue before the Council now is going to be a resolution. He is recommending adopting an ordinance for any right-of-way installation whether it is for power, cable or phones and to set criteria. Mr. Chewcaskie explained that the majority of poles are jointly owned by P.S.E. & G. and Verizon. They have agreements

with other utilities to use the poles. Mr. Chewcaskie stated the resolution would be subject to review by the Borough Engineer.

OLD BUSINESS:

Councilman Van Eck spoke about the resolution requesting Cablevision to broadcast Channel 77 at industry standard. Since the Borough has not been able to get a response from Cablevision as to why they refuse to broadcast at industry standard, this has been moved up to the BPU. Senator Cardinale and Assemblyman Auth are taking charge and advancing this to the State level. Councilman Van Eck is hoping they get something done. Mr. Kunze advised he spoke to the representative from the Office of Cable Television and they touched on a lot of issues. He gave input on how the Borough could bring the issue to the BPU.

Councilman Van Eck advised that W's Grill struggles with not having signage. He saw a new DOT sign for Bubbakoo's and he reached out to Mr. Kunze and Mr. Yakimik to learn about the process. He stated that the Mayor and Council can encourage restaurants to get their businesses on signs on 287. Mr. Yakimik advised that the process is listed on the DOT website. These advertising signs help motorists get to the restaurants. Mayor Schwager agreed that the Governing Body should do whatever they can to help restaurants.

Mr. Kunze advised that the deadline for temporary outdoor dining to end is October 15th. He assumes it is the Governing Body's desire to extend outdoor dining. This can be done at the next meeting. Councilman Knapp doesn't care if they do it for the whole year as long as they follow rules for heaters. Mayor Schwager stated that outdoor dining has to be extended as long as possible. Councilman Talamini does not mind extending it indefinitely but once the restaurants are allowed to open indoors, we don't want to encourage outdoor dining because of the parking issue. Councilman Knapp responded that an ordinance is being worked on to change that. Mayor Schwager explained that there are a certain number of parking spaces per the number of seats. Councilman Knapp stated the COVID outdoor dining resolution must be extended to December 31st. The Planning Board is working on an ordinance to cover year round outside dining. Mr. Kunze advised that the ordinance would require more permanent protection measures.

COUNCIL REPORTS:

Councilman Van Eck: The OCC met last Monday. It was a productive meeting. They are a great group of volunteers. The candidate forum will be upcoming this weekend. Councilman Van Eck thanked the OCC for this project. The OCC is looking for volunteers and articles for the newsletter. The next meeting is November 2nd. The Recreation Commission will be meeting Monday. Rec camp was a great highlight of 2020. Roller Hockey signups are taking place online. Wrestling and football are up in the air. The Planning Board will hold a meeting tomorrow via Zoom.

Councilman Knapp: The Police had 358 motor vehicle stops, 72 radar details, 10 traffic enforcement details which led to 384 summonses and two arrests in the month of August. The Police Chief has advised that the glass at the Police Dispatch desk has been rectified. The Fire Department had 76 calls, many of which were storm related, for 667 hours. The Fire Department has responded to 239 calls year-to-date for a total of 1708 hours. Councilman Knapp reached out to Congressman Gottheimer's office regarding 287 and he was going to reach out to the Governor's office and the Attorney General. He hopes to hear something by next week. He advised that the Borough is doing everything possible regarding 287. Councilman Knapp, Councilman Biale, Mr. Kunze, Borough Engineer John Yakimik and Borough Planner Steve Lydon walked Route 202 north and south in the downtown area. The Borough is applying for a

TAP grant and we need to specify what the grant would be used for. Councilman Knapp advised that there were items noted to start cleaning up, signs that were no longer needed and poles that were no longer needed. If the Borough is lucky enough to get the grant, there will be a lot of aesthetic improvements. The Dog Park is progressing at Great Oak Park. The parking lot is scheduled to be paved in the next few weeks.

Councilman Talamini: The Library and Senior Center are partnering to deliver materials to Seniors who can't make the trip to the Library. It is nice when people work together. School opening went smoothly. The high school will be starting in-person hybrid learning tomorrow. The teachers had a lot of concerns and there were meetings held. The K-8 district is working towards getting more kids in school. They are hoping to move to phase 2 but are taking baby steps because flu season is coming. Councilman Talamini advised that the teachers all had a positive message and he appreciates all the hard work the teachers are doing. Mayor Schwager congratulated all the teachers because this is a difficult situation for them.

Councilman Kulmala: No report.

Councilman Pignatelli: The Public Events Committee asked for approval to hold their Trunk or Treat event Saturday October 31st. Families would have to wear masks. Mr. Kunze advised that he spoke to Chairman Chopper Russo and forwarded the latest CDC guidelines. Mr. Chewcaskie stated that the Governing Body can do a resolution if they desire. Councilman Knapp suggested using more of the parking lot this year to allow for further distancing. Councilman Talamini advised that if the school parking lot is going to be used, they should contact the school for permission. Councilman Pignatelli advised that the next Public Events meeting will be held on October 13th. The Bylaws Committee will meet again before the bylaws are presented to the full Council. Mayor Schwager asked about the community garden. Councilman Pignatelli responded that nothing can be planted now.

Councilman Biale: The Senior Center is doing a mix of hybrid programs as indicated on the calendar. Seniors must register to attend in-person classes. The County is offering appointments for assistance navigating Medicare on October 19th. The appointments are first come, first served. The flu clinic will be held October 8th from 2 to 4 pm in conjunction with the Board of Health. Registration is closed for the flu clinic. Bingo will be held Thursday September 24th at 12:30 pm in the main room. Registration is closed but there is a wait list. The Library is offering a new service to homebound Seniors called Books to Go. The Library rentals will be dropped off weekly on Tuesday. The weekly shopping trips have resumed. The DPW reports that Street sweeping will begin on or about October 5th. Yard waste must be containerized in biodegradable paper bags. The DPW asked residents to keep storm drains free of debris. The DPW has repaired over 1400 potholes this year. Metal collection will take place Thursday October 8th. Councilman Biale spoke about the walk taken in the downtown and instituting "Get Downtown Beautiful Again". He spoke of warnings to be given to property owners not doing property maintenance. He spoke of signs that are not conforming to Borough ordinances. He asked residents to report property maintenance issues.

OPENED FOR PUBLIC COMMENT:

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

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

Frank DiPentima, 6 Mountain Lakes Road, does not think there is a rush to return to in-person meetings. The Council is working cohesively and getting work done. He thinks the decision to return to in-person meetings should be unanimous and should be done cautiously.

Jennifer Inglett, 1 Chapel Hill Road, asked for clarification on the sewer meeting to be held at the Senior Center. Mr. Kunze advised it is meant for those that cannot use Zoom. Ms. Inglett stated there is a lot of chatter about Halloween and asked for the town's guidelines.

Kevin Bagar, 101 West Oakland ave, advised that Public Events Committee will hold Trunk or Treat in the parking lot behind the Library and out the exit. He advised that the music studio in town just got HEPA filters.

Paul Chaderjian, 187 Lakeside Blvd, wants to implore the Council to have representatives from the NBCUA at the sewer meeting. He also stated the meeting should be opened up to other people in town not just those on sewers.

CLOSED FOR PUBLIC COMMENT:

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

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

BILLS TO BE PAID:

On motion of Councilman Talamini, seconded by Councilman Biale, the following bills be submitted for payment:

(see following pages)

BE IT RESOLVED that the foregoing bills be paid and charged to their respective accounts when the funds are available.

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

MEETING ADJOURNED:

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

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk
October 14, 2020

Linda H. Schwager

Mayor Linda H. Schwager

Date Approved

