

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY OCTOBER 24, 2018

MOVE TO EXECUTIVE SESSION:

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

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

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

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Personnel; Contract-Universal Broadcasting
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, Kulmala, Levy, Pignatelli, Talamini.

Councilman Knapp entered at 6:35 pm.

Discussion ensued over personnel matters and the lease agreement with Universal Broadcasting.  
No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Executive Session be closed.

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 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, Talamini. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

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**MAYOR'S REPORT:**

The Halloween Parade will be held Saturday at 10 am. On Sunday, the Fire Department Ladies' Auxiliary will hold a Pancake Breakfast from 8 am to noon. Mayor Schwager gave a tour of Borough Hall this past Tuesday to a cub scout group. She invited other scout troops to come to tour Borough Hall. Mayor Schwager is excited to attend the Girl Scout Gold Award Ceremony on November 24<sup>th</sup>.

**BASEBALL TEAM CERTIFICATES:**

Mayor Schwager, Councilman Kulmala and Recreation Commissioner Steve Saliani handed out certificates to three baseball teams that won their respective championships:

**8U Braves Blue NJSBL Summer Champions:**

James Advincula	Jackson Ciappi	Josh Cone	Dylan Denero
Chase Hurley	Michael O'Shaugnessy	Matthew Pepe	Peter Rocco
Cole Seddon	Joseph Talamini	Nate Trocolar	Mike Pepe, Coach
Larry Seddon, Coach	Mike Hurley, Coach	Tim O'Shaugnessy, Coach	

**9U NJSBL Braves Gold Summer Champions:**

Gavin Anderson	Caelan Burchell	Andrew Cooper	Justin Finale
Andrew Finale	Michael Franco	Ethan Gray	Brendan Godfrey
Antonio LaTerra	Patrick McMahon	Jordan Raczkowski	Bob Anderson, Coach
Rich Burchell, Coach	Doug Finale, Coach	Brentt Godfrey, Coach	Mike McMahon, Coach

**12U Braves Gold NJSBL Spring Champions:**

Joe Brugna	Mason Cimaglia	Brody Diers	Andrew Eckhardt
Owen Fadini	Jack McFaul	Alex Paravati	Ryan Pulice
Nicholas Sendrowski	Nicholas Vitelli	Jason Brugna, Coach	Steve Fadini, Coach
Henry Pulice, Coach	Eric Stierle, Coach	Bryan Sendrowski, Coach	

Mayor Schwager thanked all the coaches for volunteering and all the parents for their support.

**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, Talamini.

Frank Monaco, 60 Thackeray, questioned the mail-in ballot application he received. Mr. Chewcaskie responded it seems to have been sent by a political organization and as long as Mr. Monaco doesn't submit the application, he will not receive a mail-in ballot. Mr. Monaco spoke about the crossing guard at Ramapo Valley Road and West Oakland Avenue letting traffic build up because the kids are being crossed on a green light. Mayor Schwager responded she will speak to the Police Captain about this issue. Mr. Monaco also commented on the danger of people not crossing at the crosswalk. He asked about the Stream House. Mayor Schwager responded that we will be able to disassemble the Stream House.

Mame Schwartzfisher, 187 West Oakland Ave, was going to ask about the Stream House. She commented that people don't appreciate history and she would like to see the Stream House rebuilt. Mayor Schwager advised that the State does not want it rebuilt as a replica. Councilman Biale advised that the State came to Oakland and toured the Stream House building. Ms. Schwartzfisher commented that the next Public Events Committee meeting will be November 12<sup>th</sup>. She thanked Councilman Pignatelli and Councilman Talamini for being a part of the Public Events Committee.

Frank Monaco, 60 Thackeray, commented that any historic items should be put at the Library because people go to the Library.

Marisol Kozlovski, 19 Barnard Drive, commented that there should be a crossing guard at Franklin Avenue and Rutgers. Ms. Kozlovski advised that she has been a presenter at the Van Allen House for the annual visits by Oakland 2<sup>nd</sup> graders. It saddens her that the decision has been made to disassemble the Stream House. Mayor Schwager advised that our goal is to make a museum where the Stream House sits. Ms. Kozlovski responded that the foundation should be kept. She advised that several years ago, the roof was leaking during a presentation to the 2<sup>nd</sup> graders. Now there is mold. The mold needs to be remediated. Mr. Kunze responded that he and DPW Superintendent Marcucilli were not aware of the mold. He will follow up with the DPW to see if there are remedial steps that can be taken. Councilman Kulmala questioned if the roof was still leaking. If so, the DPW should put a tarp over the roof. Mr. Kunze responded that he thought there was temporary patching done on the roof but he will talk to DPW.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

**APPROVAL OF MINUTES: OCTOBER 10, 2018**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of October 10, 2018 be approved.

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

**APPROVAL OF MINUTES: OCTOBER 10, 2018 EXECUTIVE SESSION**

On motion of Councilman Pignatelli, seconded by Councilman Levy, the minutes from the Mayor and Council Executive Session of October 10, 2018 be approved.

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

**APPROVE BINGO LICENSE BL1344**

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Bingo License #BL1344 for Manito School PTO to hold a pocketbook bingo on November 30, 2018 at OLP Church, 7 Loyola Place.

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

**RESOLUTION 18-325 HIRE ASSISTANT TO THE ADMINISTRATOR**

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 an Assistant to the Borough Administrator; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough does hereby hire Michael Carelli as an Assistant to the Administrator effective Monday November 19, 2018 at an annual salary of \$ 45,000.

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

**RESOLUTION 18-326 AUTHORIZE GRANT APPLICATION TO NJDOT-SEMINOLE AVENUE IMPROVEMENT**

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

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Improvements to Seminole Avenue-00717 to the New Jersey Department of Transportation on behalf of Borough of Oakland.

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

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

**RESOLUTION 18-327 AUTHORIZE TAX REFUND 24 OVERLOOK**

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

WHEREAS, the Borough of Oakland has received a request from the property owner for a refund of taxes due to an overpayment; and

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

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

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
802/25	Khaitov, Sergey & Alla	\$5,265.48

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

**RESOLUTION 18-328 HIRE SENIOR CENTER PROGRAM AIDE**

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

WHEREAS, the Borough of Oakland needs to hire a part-time Program Aide for the Senior Center; and

WHEREAS, the Senior Center Director has made a recommendation to appoint Susan Greco to work for the Borough of Oakland on an “as needed basis” for the Senior Center as a part-time Program Aide at a rate of \$17.00 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby appoint Susan Greco to the position of part-time Program Aide at a salary of \$17.00 per hour effective October 29, 2018.

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

**RESOLUTION 18-329 HIRE SEASONAL SNOW PLOW OPERATORS**

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

WHEREAS, there is a need to hire seasonal snow plow employees for the Department of Public Works; and

WHEREAS, the seasonal snow plow employees will be paid the snow rate as specified in the Blue Collar Labor Agreement for which the current snow rate of \$31.00 per hour;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby authorize the hiring of the following seasonal snow plow employees for the Department of Public Works effective October 25, 2018:

Brian Morrisroe  
Edward Lockowitz

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

**RESOLUTION 18-330 APPOINT MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER**  
On motion of Councilman Pignatelli, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, on January 15, 2018, a new law was enacted whereby the State's Prevention of Cruelty to Animals Law (N.J.S.A. 4:22-15 et seq.) will be enforced in the State by transferring the power of humane law enforcement from the New Jersey Society for the Protection of Cruelty to Animals ("NJSPCA") to the County Prosecutor, and requiring the designation of a Municipal Humane Law Enforcement Officer in each municipality with an existing police department; and

WHEREAS, as a result of the new law, the NJSPCA was disbanded; and

WHEREAS, the new law requires the County Prosecutor of each county to designate an Animal Cruelty Prosecutor, and will allow such Prosecutor to investigate, prosecute, and /or take other legal action as appropriate for violations of the Animal Cruelty laws of the State; and

WHEREAS, consistent with N.J.S.A. 4:22-14.1, each municipal Governing Body with a police department is required to designate at least (1) Municipal Humane Law Enforcement Officer who shall be responsible for animal welfare within the jurisdiction of the municipality, and who will enforce and abide by the animal cruelty laws of the state and ordinances of the municipality; and

WHEREAS, Police Captain Keith Sanzari has recommended to the Governing Body that Officer Donald Harvey serve as the municipality's Municipal Humane Law Enforcement Officer;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, that Officer Donald Harvey is hereby designated and appointed as the Municipal Humane Law Enforcement Officer for the Borough of Oakland.

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

**RESOLUTION 18-331 AWARD CONTRACT-ONLINE TAX SALE**  
On motion of Councilman Pignatelli, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Division of Government Services, and

WHEREAS, the Division of Local Government Services has promulgated rules and regulations at N.J.A.C. 5:33-1.1, and

WHEREAS, the Borough believes it is in the best interest of the public to utilize an electronic tax sale as this process results in a greater pool of potential lien buyers; and

WHEREAS, DCA had approved and qualified (1) RealAuction.com LLC's electronic tax sale program platform and (2) ROK Industries, Inc. d/b/a NJtaxlieninvestor.com to market and conduct internet-based auctions of tax certificates under the DCA's prior Pilot program; and

WHEREAS, the Borough successfully participated in the Pilot program utilizing the services of RealAuction.com in 2017; and

WHEREAS, RealAuction.com meets the state requirements for third-party online tax sale vendors; and

WHEREAS, the Borough wishes to enter into a contract with the vendor to conduct the 2018 online tax sale at a rate of \$ 15 per listed property, not to exceed \$ 5,800; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #8-01-20-145-105;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the agreement between the Borough of Oakland and RealAuction.com, LLC; and

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Oakland, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

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

#### RESOLUTION 18-334 APPOINT POLICE MATRON

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

WHEREAS, the Police Captain has requested the appointment of Police Matron and has completed all necessary background investigations and deemed the candidate to be qualified;

BE IT RESOLVED, that the Mayor and Council hereby appoints Barbara Beaman, 71 Pawnee Avenue, Oakland, NJ as Police Matron at a rate of \$ 25.00 per hour effective October 25, 2018.

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

#### RESOLUTION 18-335 DEDICATION BY RIDER-ACCEPT DONATION

On motion of Councilman Pignatelli, seconded by Councilman Biale, 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 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 OPD Active Shooter 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 OPD Active Shooter 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 OPD Active Shooter Program.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

**INTRODUCTION: ORDINANCE NO. 18-BOND-774 CAPITAL PURCHASE-WATER UTILITY**

The Clerk was directed to take from table Ordinance No. 18-Bond-774 and read by title for its first reading.

The Clerk then read by title Ordinance No. 18-Bond-774 entitled: "CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING VARIOUS WATER SYSTEM UPGRADES IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$205,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH."

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, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Authorizing Various Water System Upgrades In, By And For The Water Utility Of The Borough, Appropriating Therefor The Sum Of \$205,000 And Providing That Such Sum So Appropriated Shall Be Raised From The Water Utility Capital Improvement Fund Of The Borough, be introduced;

That said Ordinance be considered for final adoption at a meeting on November 7, 2018 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before October 29, 2018 together with notice of this introduction and of the time and place for further



consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

**RESOLUTION 18-332 INTRODUCTION ORDINANCE 18-BOND-774**

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

BE IT RESOLVED that the ordinance entitled:

"CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING VARIOUS WATER SYSTEM UPGRADES IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$205,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH."

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 7th day of November, 2018, 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, Levy, Pignatelli, Talamini.

**INTRODUCTION: ORDINANCE NO. 18-BOND-775 BOND ORDINANCE-ENGINEERING PHASE FOR SEWER PROJECT**

The Clerk was directed to take from table Ordinance No. 18-Bond-775 and read by title for its first reading.

The Clerk then read by title Ordinance No. 18-Bond-775 entitled: "BOND ORDINANCE TO AUTHORIZE THE ENGINEERING PHASES OF THE DECOMMISSIONING AND CONVERSION OF VARIOUS SANITARY SEWER TREATMENT PLANTS TO PUMP STATIONS AND THE CONSTRUCTION OF FORCE MAINS TO CONNECT TO THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY TREATMENT SYSTEM 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 \$300,000 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."

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Authorize The Engineering Phases Of The Decommissioning And Conversion Of Various Sanitary Sewer Treatment Plants To Pump Stations And The Construction Of Force Mains To Connect To The Northwest Bergen County Utilities Authority Treatment System 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 \$300,000 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.", be introduced;

That said Ordinance be considered for final adoption at a meeting on November 7, 2018 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before October 29, 2018 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

#### RESOLUTION 18-333 INTRODUCTION ORDINANCE 18-BOND-775

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 AUTHORIZE THE ENGINEERING PHASES OF THE DECOMMISSIONING AND CONVERSION OF VARIOUS SANITARY SEWER TREATMENT PLANTS TO PUMP STATIONS AND THE CONSTRUCTION OF FORCE MAINS TO CONNECT TO THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY TREATMENT SYSTEM 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 \$300,000 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."

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 7th day of November, 2018, 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, Levy, Pignatelli, Talamini.

FINAL PUBLIC HEARING: ORDINANCE NO. 18-CODE-767 PROHIBIT RETAIL MARIJUANA ESTABLISHMENTS

Remove from Table:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the final adoption of Ordinance 18-Code-767 be removed from the table.

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

The Clerk was directed to take from the table Ordinance No. 18-Code-767 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER 59, ARTICLE VII, SECTION 59-45, ENTITLED "REGULATIONS APPLICABLE TO ALL ZONES" BY ADDING SECTION "J".

OPENED FOR PUBLIC DISCUSSION:

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

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

Mame Schwartzfisher, 187 West Oakland, asked if marijuana can be sold in town. Mr. Chewcaskie advised this ordinance is preemptive. It would prohibit business marijuana activities. It does not prohibit a licensed medical dispensary. Ms. Schwartzfisher asked if the Borough would be getting tax dollars for the sale. Mr. Chewcaskie responded that it was his understanding a municipality would only benefit from retail sales which this ordinance prohibits.

CLOSED FOR PUBLIC DISCUSSION:

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

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

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending The Revised General Ordinances Of The Borough Of Oakland Chapter 59, Article Vii, Section 59-45, Entitled "Regulations Applicable To All Zones" By Adding Section "J", 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, Levy, Pignatelli, Talamini.

**WORK SESSION:**

**AMEND ORDINANCE-ACCESSORY STRUCTURES:**

Mr. Chewcaskie advised that we currently have an ordinance to regulate the use of POD's. The Planning Board was made aware that POD's are being used as permanent structures. The Planning Board is requesting the ordinance to be amended so that the permanent use of POD's is not an accessory structure. Councilman Kulmala asked if we are tightening the ordinance on accessory structures. Mr. Chewcaskie confirmed we are tightening the zoning ordinance so that a POD is temporary. This ordinance will be introduced on November 7<sup>th</sup>.

**AMEND SALARY ORDINANCE:**

Mr. Kunze explained that the Salary ordinance needs to be amended to include the Information Technology Technician position for the Police Department. This ordinance will be introduced on November 7<sup>th</sup>.

**OLD BUSINESS:**

Councilman Kulmala asked for an update on the Patriot's Way Bridge. Borough Engineer John Yakimik advised that the plans are being reviewed by the DOT. He is expecting comments back by mid-November. Once the comments are received, the plans will be revised. It may be ready to go out to bid on January.

Mayor Schwager asked about the road paving in Ramapo River Reserve. Mr. Yakimik advised that tomorrow is the last day of paving.

Councilman Pignatelli commented that a resident came to a previous meeting complaining about a dangerous tree on State property by her house. The resident paid to have the tree taken down. Councilman Pignatelli asked if we can get the State to reimburse the resident. Mr. Yakimik will speak to his contact. Mayor Schwager complimented Mr. Yakimik on being very responsive.

Councilman Kulmala asked the status of the Recreation bathrooms and the demolition of the Roosevelt properties. Mr. Kunze is waiting for final comments from the architect so we can go to bid for the Recreation bathrooms. Mr. Kunze met with Construction Official Dan Hagberg and Mr. Yakimik to discuss the scope of demolition so the bids can be advertised.

**COUNCIL REPORTS:**

Councilman Knapp: He advised that James Construction is going to clear the Great Lawn at Great Oak Park. The First Aid Squad had 70 calls in September for 140 man hours. Year-to-date they have had 698 calls for 1386 man hours. The Fire Department had 39 calls for 445 man hours. Year-to-date they have responded to 341 calls for 6850 hours. The Fire Department had three members graduate the Fire Academy. The Police Department has responded to 15153 calls for the year-to-date. They have been doing safety checks at the schools. The Police Department does child safety seat inspections. Office Coleman is certified as a Field Training Officer. Sgt. Broek also attended the training as a Field Training Officer. Lt. Keenan attended a leadership program.

Councilman Levy: The Flood Commission did not meet this month. They need two new members in January. The Shade Tree Commission is discussing an arborist to work with the Borough.

Councilman Pignatelli: No report.

Councilman Biale: The Seniors will have a musical performance on November 1<sup>st</sup> from a DooWop group. November 15<sup>th</sup> will be bingo at the Senior Center and November 29<sup>th</sup> will be Movie Day. The DPW completed fire hydrant flushing. Fourteen hydrants were replaced and ten were repaired. DeBlock is doing an outstanding job keeping the sewer treatment plants functional. Councilman Biale reminded residents that leaves and grass must be put in biodegradable bags or containers for pick up. The DPW asked residents to remove leaves from storm drains for the upcoming storm. The DPW has backyard compost bins available for purchase for \$60. The DPW is working on a list of locations for next year's allocation of LED lights. Meetings are being held with vendors for an electronic bulletin board.

Councilman Kulmala: The OCC is looking for volunteers for the tv committee. They are looking for photos and videos from residents to use. Recreation now has lightning detection on Truman and Wells fields.

Councilman Talamini: The Halloween Parade will be held Saturday at 10 am. The event will be held indoors at Valley Middle School in the event of rain. It is a great event. The kids are in costumes, there are pumpkins and crafts as well as refreshments. If the event is outside, there will be a blow up maze. He asked residents to please volunteer for the Public Events Committee. The schools will have a minimum day on Halloween. He asked everyone to be careful of the children on Halloween. The Library Grand Opening was a really nice event. The Levines were honored. The Library looks great. Mayor Schwager advised that the downstairs area of the Library is a perfect meeting place for local organizations.

Mayor Schwager advised that Ramapo Valley Road will be repaved November 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>. They had to wait until the pavement settled in order to pave the road.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

Mame Schwartzfisher, 187 West Oakland Ave, commented that Gerri Schrier worked very hard for the children's area of the Library.

Marisol Kozlovski, 19 Barnard Way, asked about streets closing in the college section on Halloween. Mayor Schwager responded that this is being done at the request of the Traffic Officer. Ms. Kozlovski commented that people are being directed to park at OLPH but the rain date for their trunk or treat is Halloween.

Councilman Biale commented that it is getting darker earlier and there are a lot of people out walking and not wearing something light and bright and it is dangerous.

Carol Peterson, 195 Seminole Ave, advised that the Borough has been certified at the Bronze level by Sustainable Jersey. She advised that residents took advantage of the Styrofoam recycling event in Glen Rock. Oakland has been approved for a Hub grant so it looks like we will be able to do our own recycling program for Styrofoam.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

**BILLS TO BE PAID:**

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

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Levy, the meeting be adjourned at 9:02 pm.

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

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Lisa M. Duncan, Borough Clerk

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Mayor Linda H. Schwager

November 7, 2018

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Date Approved