

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY DECEMBER 4, 2019

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Talamini, 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:  
Sandy Beach; Labor Negotiations
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 the meeting at 7:10 pm. Discussion ensued over Sandy Beach property and labor negotiations. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Pignatelli, 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:**

Mayor Schwager advised that she missed the last meeting due to a death in the family and she thanked Councilman Knapp for running the meeting. Today the Mayor and Council are taking the picture for the 2020 Borough Calendar. She thanked Michael Carelli for his work on the calendar. Mayor Schwager thanked the DPW for doing a fantastic job with the roads. We are very appreciative of the work they do. The Tree and Menorah Lighting will be held Sunday. This year is the 2<sup>nd</sup> annual Holiday lighting contest. The judging will be December 19<sup>th</sup>. Mayor Schwager thanked Chopper Russo for organizing the decorating of Oakland's tree for the Van Saun Winter Wonderland.

**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.

Ed Hudsina, 576 Ramapo Valley Road, asked for an explanation of what is going to be built at the Fire House. Councilman Knapp responded that they are looking to build a garage with three bays. Mr. Hudsina questioned why we are building another building for storage when there is a third fire house. Councilman Knapp responded that Fire Co. 3 stores the spare engine, the parade engine, the boats and jet skis. Some of those items need to be at Fire Co. 1 to save time in order to save lives. The bid is being rejected for the second time because the bid is too high. Mr. Hudsina means no disrespect to the Fire Department because they do a great job. He asked about the Stream House. Mayor Schwager advised that Mr. Kunze will be following up with the County because we were told we could save money with the dismantling by using County resources. Mr. Hudsina asked what the plan is after the Stream House is taken down. Mayor Schwager responded that we want to make a museum for the children. Mr. Hudsina asked if we are required to rebuild. Councilman Biale responded we are required to and we are envisioning a small museum.

Vic Pedalino, 52 McNamee Street, spoke of an ordinance that allows residents to have three boarders per house. The ordinance does not discern if the owner has to reside at the property. He asked who is enforcing the three boarder limit. He asked if these boarding homes are registered. He also commented that Oakland should be proactive with Air Bnb's. Councilman

Kulmala advised that he was contacted by Mr. Pedalino regarding the issues he is having with his neighbors. Mayor Schwager advised that Mr. Pedalino's neighbors have contacted her. She advised that we have a new Construction Official and she will have him go investigate. The attorney will review the ordinance.

William Sisti, 12 Eagle Crest Place, is in favor of a limited Air Bnb. It would have to be owner occupied.

Dave Richardson, 320 Ramapo Valley Road, spoke about the intersection of Ramapo Valley Road and Doty Road and asked about getting a traffic light there. Councilman Levy explained that the sidewalk by Great Oak Park needs to be repaired. The Borough Engineer had suggested moving the sidewalk to the other side of the street so the Borough is trying to get the County to put a traffic light at that intersection. Mr. Richardson spoke about the lights at the Recreation field being on. Mr. Kunze advised that the Recreation Commission controls the timing of the lights. He explained that there are some lights on in the winter when the walking path is clear of snow. Mr. Richardson commented that the residents should not have to pay for the lights to be on in the winter. Councilman Talamini advised that he has been on the field when the lights have shut off on the kids during a game or when the lights are turned on too late because of cost. Then it becomes a safety issue with the kids. He advised that one day the lights were on when it was raining but the football players were still practicing. Councilman Kulmala advised that the Recreation Commission is trying to police the issue as best they can.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Biale, seconded by Councilman Talamini, 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 30, 2019**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of October 30, 2019 be approved.

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

**APPROVAL OF MINUTES: NOVEMBER 13, 2019**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of November 30, 2019 be approved.

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

**APPROVAL OF MINUTES: OCTOBER 30, 2019 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of October 30, 2019 be approved.

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

**APPROVAL OF MINUTES: NOVEMBER 13, 2019 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council Executive Session of November 13, 2019 be approved.

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

**APPOINTMENT: SHADE TREE COMMISSION**

Mayor Schwager brought forth the appointment of Larry Levine to an unexpired term on the Shade Tree Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Levy, the Council consented to the appointment of Larry Levine to an unexpired term on the Shade Tree Commission. The term will expire December 31, 2020.

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

Mayor Schwager advised that Resolution 19-318 will be carried to December 18<sup>th</sup>.

**RESOLUTION 19-321 AUTHORIZE RECREATION REFUND**

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation Roller Hockey fees in the amount of \$ 112.00; 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:

Theresa Barry, 12 Shoshone Path, Oakland, NJ 07436 amount due \$ 112.00

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

**RESOLUTION 19-322 AUTHORIZE TWA APPLICATION-138 BAUER DRIVE**

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

WHEREAS, an application has been made to the Borough of Oakland by the Guru Nanak Mission for the replacement of a malfunctioning septic system for the facility located at 138 Bauer Drive.

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

The Mayor is hereby authorized to execute the necessary consent by Governing Body to be attached to the Treatment Works Application to be filed by Guru Nanak Mission subject to the following:

- A. The construction shall conform to all applicable requirements of the Borough of Oakland and the Board of Health of the Borough of Oakland.
- B. The installation of all sewer lines and appurtenances shall be inspected and approved by the Borough of Oakland and/or the Borough of Oakland Board of Health.
- C. Guru Nanak Mission shall pay for all engineering expenses incurred by the Oakland Board of Health and the Borough of Oakland for all inspections and testing of the sewer lines and/or appurtenances.
- D. Guru Nanak Mission shall pay for the Borough's application fees, legal fees and other applications, administrative, technical or any other expenses relating to review of the project.
- E. Any manholes constructed or modified by reason of this project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock.
- F. Water conserving plumbing fixtures be installed in all new buildings constructed as part of this project.
- G. Guru Nanak Mission shall comply with all conditions imposed by the Oakland Board of Health.
- H. Guru Nanak Mission shall comply with all rules and regulations of the Borough of Oakland, the Oakland Board of Health and the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the Guru Nanak Mission and the Oakland Board of Health.

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

#### RESOLUTION 19-323 HIRE PER-DIEM DISPATCHER

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

WHEREAS, the Police Chief has requested the appointment of a Per Diem Dispatchers and has completed all necessary background investigations and deemed the candidate to be qualified;

BE IT RESOLVED, that the Mayor and Council hereby appoints the following at a Step 1 salary of \$ 20.50 per hour effective December 5, 2019:

William P. Doherty  
40 Mahoney Ct.  
Fair Lawn, NJ 07410

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

**RESOLUTION 19-324 AUTHORIZE AGREEMENT WITH FIRST AID SQUAD-RECYCLING BINS**

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

WHEREAS, the Mayor and Council wishes to rescind Resolution 19-267 to enter into an agreement with the Oakland Elks Lodge to place two recycling bins on their property; and

WHEREAS, the Borough of Oakland has made request to the Oakland First Aid Squad for permission to maintain two recycling bins on the property located at 285 Ramapo Valley Road; and

WHEREAS, the Borough of Oakland and the Oakland First Aid Squad have determined that it is in the best interest of the Borough and First Aid Squad to enter into a License Agreement in order to maintain the recycling bins and to authorize the execution of the License 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 License Agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Oakland First Aid Squad and Brian M. Chewcaskie, Borough Counsel.

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

**RESOLUTION 19-325 AUTHORIZE CDBG GRANT SUBMITTAL**

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 Community Development grant of \$ 345,000 has been proposed by the Borough of Oakland for a Water Main Replacement on Grandview Ave. and Mountain View Ave. in the municipality of 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 the Borough of Oakland; 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 Governing Body 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 so that implementation of the aforesaid project may be expedited.

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

**RESOLUTION 19-326 AUTHORIZE CDBG GRANT APPLICATION-SENIOR BUS**

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

WHEREAS, the Borough of Oakland has a need for a new Senior Center bus at a total project cost of \$ 109,536.91; and

WHEREAS, we have identified the Volkswagen Settlement Trust Fund Grant as a potential funding source for 25% of the project cost; and

WHEREAS, this project is in the best interests of the residents of the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Administrator to submit an application for the Volkswagen Settlement Trust Fund Grant for a new Senior Center bus in the amount of \$ 27,384.22.

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

**RESOLUTION 19-327 AWARD CONTRACT-ENGINEERING FOR DRAINAGE IMPROVEMENTS YALE WAY**

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 for Drainage Improvements on Yale Way; and

WHEREAS, there is a need for engineering services to do a topographic survey, prepare construction plans and specifications and construction management for the Yale Way Drainage Improvements project; and

WHEREAS, Boswell Engineering has submitted a proposal dated November 4, 2019 for the work required in an amount not to exceed \$ 29,000 broken down as follows:

Topographic Survey	\$ 7,500
Construction Plans, Specifications & Estimate	\$ 6,500
Construction Management and Inspection	\$ 15,000

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

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account

# C-04-56-712-216 \$ 4,200, Account # C-04-56-763-510 \$ 3,648 and Account #C-04-56-761-100 \$ 21,152;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the engineering services for the Yale Way Drainage Improvements project at a cost to exceed \$ 29,000 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, Talamini.

#### RESOLUTION 19-328 AWARD CONTRACT-ENGINEERING SERVICES-SENIOR CENTER GENERATOR

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 for a generator at the Senior Center; and

WHEREAS, there is a need for engineering services for design and construction inspection services; and

WHEREAS, Boswell Engineering has submitted a proposal dated November 11, 2019 for the work required in an amount not to exceed \$ 20,000 broken down as follows:

Engineering Design and Drawings	\$ 12,000
Construction Management and Part-time inspection	\$ 8,000

WHEREAS, Boswell McClave 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 # G-02-09-728-001;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Boswell Engineering to perform the engineering services for the Emergency Generator project at the Senior Center at a cost to exceed \$ 20,000 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, Talamini.

#### RESOLUTION 19-329 AWARD CONTRACT-GASOLINE

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 purchase gasoline for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the New Jersey Cooperative Purchasing Alliance (state ID #11-BeCCP); and

WHEREAS, the New Jersey Cooperative Purchasing Alliance has extended a one year option on contract #17-41, Gasoline, to Rachles/Michele's Oil and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase gasoline through the New Jersey Cooperative Purchasing Alliance in an amount not to exceed \$ 130,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 9-01-31-460-001 and Water Operating Fund budget account #9-05-55-504-400 and from appropriation in the 2020 budget, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Gasoline, in an amount not to exceed \$130,000, through the New Jersey Cooperative Purchasing Alliance, contract # 17-41, Gasoline, awarded to Rachles/Michele's Oil, 116 Kuller Road, Clifton, NJ .

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

#### RESOLUTION 19-330 AWARD CONTRACT-DIESEL FUEL

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 purchase diesel fuel for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the New Jersey Cooperative Purchasing Alliance (state ID #11-BeCCP); and

WHEREAS, the New Jersey Cooperative Purchasing Alliance has extended a one year option on contract #17-42, Diesel Fuel to Rachles/Michele's Oil Co. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase diesel fuel through the New Jersey Cooperative Purchasing Alliance in an amount not to exceed \$ 60,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 9-01-31-460-001 and Water Operating Fund budget account# 9-05-55-504-400 and from appropriation in the 2020 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Diesel Fuel, in an amount not to exceed \$60,000, through the New Jersey Cooperative Purchasing Alliance, contract # 17-42 Diesel Fuel awarded to Rachles / Michele's Oil Co., 116 Kuller Road Clifton, NJ .

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

#### RESOLUTION 19-331 CAPITAL AND BOND ORDINANCE CANCELLATIONS

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

**WHEREAS**, certain Capital Improvement Authorization balances remain dedicated to projects which have been completed; and

**WHEREAS**, the balances are no longer necessary for the purpose originally created,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Oakland that the following balances of unexpended General Capital Improvement Authorizations be cancelled as follows:

#### General Capital

Ordinance		Unexpended Improvement
<u>Number</u>	<u>Description</u>	<u>Authorization Balance to Cancel</u>
07-561	Sr Roof Police Reno	\$ 68,868.57
12-663	DPW Bldg Constr	\$ 7,000.00
12-671	Police Solar Signs	\$ 3.30
13-690	Fire House Imprv	\$ 132.00
14-704	Spear St Generator	\$ 400.00
14-704	Sr Cntr Improvements	\$ 1517.54
14-705	Flood Acq Phase 1 Admin	\$ 134,078.92
14-705	Flood Acq Phase 1 Purch	\$ 101,004.02
15-717	Rec Bleachers	\$ 32,000.00
16-742	Fire Hoses	\$ 362.79
17-760	Police Equipment	\$ 3,346.14
17-760	DPW Equipment	\$ 3,654.31
18-771	Fire Suppress Smith Ctr admin	\$ 12,316.00
18-771	Fire Suppress Smith Ctr	\$ 1,312.30
18-770	OPD Addl Car Video	\$ 30.00
18-770	DPW Pick Up Truck	\$ 47.29
18-770	DPW Mason Dump Truck	\$ 36.26
18-770	OPD Garage Door Replacement	\$ 61.00
<b>Total – General Capital</b>		<b>\$ 366,170.44</b>

#### Water Capital

Ordinance		Unexpended Improvement
<u>Number</u>	<u>Description</u>	<u>Authorization Balance to Cancel</u>
06-539	Water Meter Admin	\$ 306.67
06-539	Water Meter Program	\$ 55.52

07-563	Lawlor Main Admin	\$ 53.91
07-563	Lawlor Main Construction	\$ 40,415.92
<b>Total – Water Capital</b>		<b>\$ 40,832.02</b>

**Sewer Capital**

<u>Ordinance Number</u>	<u>Description</u>	<u>Unexpended Improvement Authorization Balance to Cancel</u>
08-575	Skyview Admin	\$ 5,060.00
08-575	Skyview Collection	\$ 781.77
<b>Total – Sewer Capital</b>		<b>\$ 5,847.77</b>

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

**RESOLUTION 19-332 AUTHORIZE ROOTS FOR RIVERS GRANT APPLICATION**

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, Oakland is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a program called the Roots for Rivers Reforestation Grant Program; and

WHEREAS, the Sustainable Oakland Green Team Committee, Great Oak Park Committee, Oakland Shade Tree Commission and Oakland Environmental Commission in conjunction with the DEP Watershed Ambassador Program, wish to apply for a grant for the Roots for Rivers Reforestation Grant Program.

BE IT RESOLVED that the Mayor and Council of the Borough of Oakland has determined that Oakland should apply for the Sustainable Jersey Grant for a Roots for Rivers Reforestation Grant.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize the submission of an application for the aforementioned Sustainable Jersey Grant in the amount of \$ 2787.70 for a Roots for Rivers Reforestation Grant.

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

The Borough Attorney advised that the Shade Tree Ordinance revision is not ready for introduction so it must be carried to January.

**INTRODUCTION: ORDINANCE NO. 19-CODE-800 RECREATION FEES**

The Clerk was directed to take from table Ordinance No. 19-Code-800 and read by title for its first reading.

The Clerk then read by title Ordinance No. 19-Code-800 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER IX, RECREATION FACILITIES AND RECREATION AREAS, SUBCHAPTER 9-2.3, ENTITLED "FEE SCHEDULE FOR ACTIVITIES," TO PROVIDE FOR THE USE OF FACILITIES AND THE FEE SCHEDULE THEREOF.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland Chapter IX, Recreation Facilities And Recreation Areas, Subchapter 9-2.3, Entitled "Fee Schedule For Activities," To Provide For The Use Of Facilities And The Fee Schedule Thereof., be introduced;

That said Ordinance be considered for final adoption at a meeting on December 18, 2019 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 9, 2019 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

**INTRODUCTION: ORDINANCE NO. 19-CODE-801 WATER AND SEWER RATES**

The Clerk was directed to take from table Ordinance No. 19-Code-801 and read by title for its first reading.

The Clerk then read by title Ordinance No.19-Code-801 entitled: " ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE, ENTITLED "FEE SCHEDULE" AND SECTION 13 ENTITLED "CHARGES AND FEES"

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

Be It Resolved That An Ordinance Entitled, Ordinance Amending And Supplementing Chapter XIII, Section 10 Of The Oakland Code, Entitled "Fee Schedule" And Section 13 Entitled "Charges And Fees" , be introduced;

That said Ordinance be considered for final adoption at a meeting on December 18, 2019 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 9, 2019 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 19-CODE-792 TO BE CARRIED**

The final adoption of this ordinance needs to be carried to the December 18, 2019 meeting.

**FINAL PUBLIC HEARING: ORDINANCE NO. 19-BOND-798**

The Clerk was directed to take from the table Ordinance No.19-Bond-798 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$14,000, for ORDINANCE 19-786 CAPITAL PROJECTS, POLICE DEPARTMENT IT EQUIPMENT IN AND BY AND FOR THE BOROUGH, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

No comments made.

**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, Talamini.

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

BE IT RESOLVED that an Ordinance entitled, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Providing A Supplemental Appropriation Of \$14,000, For Ordinance 19-786 Capital Projects, Police Department It Equipment In And By And For The Borough, And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Of The General Capital Fund Of 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, Levy, Pignatelli, Talamini.

#### WORK SESSION:

##### AIR BNB:

Mr. Chewcaskie advised there are two issues. The real problem is that the zoning ordinance permits up to three boarders. It is too late now but in January, an ordinance can be introduced to amend the zoning ordinance. Mayor Schwager thought that residential properties can't have more than two non-related. Mr. Chewcaskie advised that the Planning Board is involved in a review of the Master Plan. They should look at this to see if anything else needs to be eliminated from the ordinance. Mr. Chewcaskie explained that the issue of family definition has been litigated and the definition should be changed in our ordinance. The air bnb is a totally different topic and involves short-term rentals. Other municipalities have been banning rentals under thirty days. The issue has been adequate enforcement. If you don't have enforcement, they should be prohibited. Mr. Kunze advised that enforcement would fall under Code enforcement and we should speak to the Construction official about what he would need to enforce this. Councilman Pignatelli thinks this should be licensed and regulated. Councilman Kulmala asked if this should be prohibited. Mr. Chewcaskie explained that we will fix the boarder issue. Regarding the air bnb, there are two types of rental-rental of a room and rental of the property. He asked if it is the intention to prohibit both.

Discussion ensued over the issue on McNamee Street with the boarders. Councilman Kulmala commented that it is a quality of life issue and a safety issue since it is near Dogwood School. Councilman Levy stated that if it is the desire of the Governing Body, maybe the Borough Attorney should be instructed to craft an ordinance to prohibit boarders and then speak to the Construction Official to determine if there is a method of enforcement. Councilman Knapp asked where rental houses come into play. He asked about a situation where college students from Ramapo College rent a house. Mr. Chewcaskie advised that would not be prohibited if they function as a single unit using the same facilities. Mayor Schwager stated that the Borough Attorney needs to provide a draft ordinance for review and comment. She advised that we would get community input. Councilman Kulmala asked Mr. Chewcaskie to elaborate on enforcement. Mr. Chewcaskie explained that enforcement is difficult. If there is a violation, the only way to get access in the house is with a warrant.

##### NEW BUSINESS:

Councilman Kulmala asked about the crosswalk by Krauzers on Ramapo Valley Road. He asked if there was a way to have a flashing light to allow children to get across the road. Mayor Schwager advised that we are going to do a traffic study. Councilman Talamini advised that people are ignoring the stop sign at Yawpo and Route 202. He suggested the Police should look into that.

**OLD BUSINESS:**

Councilman Pignatelli advised that the traffic study had been listed on a previous agenda and it was pulled from the agenda. The bylaws say an item can only be removed from the agenda if the Council tables the item. Mayor Schwager advised that the bylaws should be redone. Councilman Kulmala advised that if a Council person puts something on the agenda, another Council person cannot remove it.

**COUNCIL REPORTS:**

Councilman Talamini: The Public Events Committee will hold the Christmas Tree and Menorah Lighting on December 8<sup>th</sup> at 5 pm at Veterans Park. There will be caroling, a visit by Santa Claus and refreshments and entertainment at Valley Middle School. The Public Events Committee is always in need of members. The Holiday lights judging will take place on December 19<sup>th</sup>. The hardware store has a coupon for a discount on lights.

Councilman Kulmala: The next meeting of the OCC will be January 6, 2020. Volunteers are needed for the tv committee. The Recreation Commission met last week. The Roller Hockey rink is done. Thanks to Jason and Jared Duncan for doing the striping and to Sherwin Williams for donating the paint. There will be a ceremony on Friday. Signups for volleyball, softball and baseball will take place after the first of the year. The Recreation Commission will meet again on December 16<sup>th</sup>. The Water & Sewer Committee meeting was held two weeks ago. There was a town hall meeting held at the Senior Center. The residents wanted to be heard regarding the sewer treatment plant complaints. We are scheduling another Water & Sewer meeting to discuss the complaints.

Councilman Biale: The weekly movie at the Senior Center is held on Mondays at 1:30 pm. The winter trip will be to Wind Creek Casino. Line Dancing continues Friday December 6<sup>th</sup> and 20<sup>th</sup>. The mens club will hold a cooking class on December 16<sup>th</sup> at 1 pm to make gingerbread cookies. There will be a class on December 19<sup>th</sup> on the history of Christmas traditions. There will be a presentation on Protecting Yourself in the Retail World on December 5<sup>th</sup>. The end of the year Noon Year's Eve Party will be held on December 31<sup>st</sup>. The yard waste schedule has changed due to the storm. The last pick up will be December 9<sup>th</sup> and 10<sup>th</sup>. The DPW Superintendent has been in touch with Rockland Electric about issues with the LED lights. Councilman Biale thanked Superintendent Marcucilli and the DPW for their work during the snow event.

Councilman Pignatelli: He attended the Green Team meeting. He advised that several towns are adopting the plastic bag ban. On December 28<sup>th</sup>, there will be Styrofoam collection in Hackensack. The Board of Health discussed their annual fees and they discussed body art. The Borough has achieved bronze certification with Sustainable Jersey. We have applied for another Roots for Rivers grant. The Environmental Commission is looking to do GIS for Great Oak Park. Next year will be the 50<sup>th</sup> anniversary of Earth Day. Councilman Pignatelli congratulated the Community of Commerce for organizing the Toys for Tots event. This year, they collected 2000 toys.

Councilman Levy: The Shade Tree Committee did not meet due to the storm. The Flood Commission will meet Monday at 7:30 pm. The Planning Board meets December 12<sup>th</sup> at 7 pm. The Capital Projects committee is ready to start working on other infrastructure like we do by putting money away each year for roads. This will be worked into the budget. The Allerman Brook project is almost done. It was a successful project.

Councilman Knapp: The Dog Park Committee held their raffle. The goal was to raise \$ 10,000 but they actually raised \$ 5,000. They thanked everyone who participated. They will be holding another raffle in the near future to raffle off two signed footballs.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, 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.

Dave Richardson, 320 Ramapo Valley Road, commented that people do not stop at the light by West Oakland Ave. before making a right turn.

Carmin Stura, 49 McNamee, spoke about people not using crosswalks.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

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

(see following pages)

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

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

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the meeting be adjourned at 9:05 pm.

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

*Lisa M. Duncan*

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Lisa M. Duncan, Borough Clerk  
January 22, 2020

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Date Approved

*Linda H. Schwager*

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Mayor Linda H. Schwager



