

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY MARCH 11, 2020

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Levy, 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:  
Flood Buyouts; Personnel-Hire Dispatcher
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

Discussion ensued regarding the flood buyout program and hiring a full-time dispatcher. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

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, Levy, Pignatelli, Van Eck. Absent: Councilman Talamini. 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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EXCUSE ABSENCE:

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

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

MAYOR'S REPORT:

Last week, the Governor held a conference call on COVID-19. There was a presentation today at the Senior Center from the County Health Department on the Coronavirus. There will also be a presentation Tuesday March 17<sup>th</sup> at 5:30 pm at the Council Chambers. The Bergen County Executive held a conference call today with the County Health officer and County OEM. There is a State of Health Emergency. There are 10 known cases in Bergen County, 23 in the State, and 1039 cases in the United States. The reason there is no panic is because there is no vaccine. The officials are suggesting staying away from mass gatherings. Right now there is price gouging. If you see a case of price gouging, call Bergen County Consumer Affairs office. Masks only help the person who has it from spreading to others. Councilman Biale asked if the March 17<sup>th</sup> presentation should be televised. Mr. Kunze responded that the OCC was receptive. However, the County asked that it not be televised because information is changing rapidly and they don't want it outdated. Mayor Schwager advised that the FLOW Film Festival will take place March 20<sup>th</sup> at the Oakland Library and March 26<sup>th</sup> at the Wyckoff Library. On March 19<sup>th</sup>, Assemblyman Auth will be at the Westwood Community Center with the DOT to discuss commuter transport. The Easter Egg Hunt is April 4<sup>th</sup>, Shredding Day is May 2<sup>nd</sup> and the Bergen County Care Fair is May 3<sup>rd</sup>.

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, Levy, Pignatelli, Van Eck.

Michael Simino, 97 Seminole Ave, advised that he was in attendance at a prior Council meeting regarding his neighbor's retaining wall that is collapsing on his property. Mr. Wittekind promised this would be handled in two weeks but it has been two months. Mr. Simino has called three times this week and has not received a call back. Mayor Schwager will have Mr. Kunze follow up and stated everyone deserves the courtesy of a return call.

Dot O'Connor, 70 Hemlock Street, spoke of a drainage easement from Dogwood Drive under Route 202 and cuts across Hemlock. She is concerned about the 7 homes between the easement and the river. Borough Engineer John Yakimik advised he sent an email Monday. Mr. Chewcaskie advised he sent the property owner an access agreement on February 21<sup>st</sup>. He also sent a follow up letter because he didn't receive the agreement back. Mr. Chewcaskie advised that the Borough does not rights to access through the property. Mayor Schwager asked Mr. Yakimik to personally deliver the letter tomorrow. Ms. O'Connor advised that the Borough owns an acre and a half between Riverside Nursery. She stated the silt needs to be removed. Mr. Yakimik advised that the County will do that and clean up the trees. It needs to be done after the Borough gets the signed access agreement. Councilman Biale advised that the Borough has been working on this issue for the past five or six weeks. Bergen County Mosquito Division is involved and will do the work.

Kathy Tote, 62 Hemlock, spoke of dead trees on Borough property that will hit her house. There is a dead tree on the corner of the Borough property that needs to come down.

**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, Levy, Pignatelli, Van Eck.

**APPROVAL OF MINUTES: FEBRUARY 12, 2020**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of February 12, 2020 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 12, 2020 EXECUTIVE SESSION**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council Executive Session of February 12, 2020 be approved.

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

**REQUEST TO WAIVE BUILDING PERMIT FEES:**

The Borough received a request from C. Verblaauw & Sons, LLC who is installing a deck for a veteran at 720 Ramapo Valley Road as part of the Deck for A Soldier program. He is asking the Borough to waive Building permit fees. Mr. Chewcaskie advised that there is no formal policy regarding these requests. In the past, there has been an informal policy for non-profits. This is a fair request but will it be expanded to other requests as a result. However, due to the fact that all the services and material have been donated, the Borough fees can be waived.

**MOTION:**

On motion of Councilman Knapp, seconded by Councilman Biale, approval be granted to waive Borough Building permit fees in the amount of \$ 420 for C. Verblaauw & Sons, LLC to build a deck at 720 Ramapo Valley Road as part of the Deck for A Soldier Program.

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

**APPROVE RAFFLE LICENSE RL1387**

On motion of Councilman Biale, seconded by Councilman Pignatelli, approval be granted for Raffle License #1387 for Rebuilding Together North Jersey Together North Jersey to hold an off-premise raffle for merchandise on June 1, 2020 at 341 Ramapo Valley Road.

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

Mayor Schwager advised that Resolution 20-84 is being carried.

**RESOLUTION 20-104 AUTHORIZE RECREATION REFUND**

On motion of Councilman Knapp, 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 Volleyball registration fees in the amount of \$ 100.00; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #0-01-55-999-023 \$100.00

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

Lucia Talamini, 33 Seminole Ave., Oakland, NJ 07436 amount due \$ 100.00

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

**RESOLUTION 20-105 CONTRACT AMENDMENT-WASTEWATER MANAGEMENT PLAN**

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

WHEREAS, a contract was awarded to Boswell Engineering for the preparation of the Wastewater Management Plan; and

WHEREAS, additional work is required for the preparation of the Wastewater Management Plan to implement Phase II of the Sewer Infrastructure Improvement Plan; and

WHEREAS, Boswell Engineering has submitted a proposal dated March 2, 2020 in the amount not to exceed \$ 35,000 for the services required; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-07-00-001-003 \$35,000.00;

NOW, THEREFORE, BE IT RESOLVED that the contract for Boswell Engineering for the preparation of the Wastewater Management Plan be amended by an additional not to exceed amount of \$ 35,000 as specified in their March 2, 2020 proposal.

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

RESOLUTION 20-106 CONTRACT AMENDMENT-SURVEY & TOPO FOR BLOCK 5002 L38

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

WHEREAS, there is a need to prepare a boundary and topographic survey for Block 5002 Lot 38 and a boundary and topographic survey/easement preparation for Block 5004 Lot 1, 51, and 52; and

WHEREAS, Boswell Engineering has submitted a proposal dated March 3, 2020 for the services required at a cost not to exceed 15,000.00; and

WHEREAS, Boswell Engineering has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-69 adopted on July 11, 2012; and

WHEREAS, the award of the 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-08-56-683-100 \$15,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorizes Boswell Engineering to prepare the boundary and topographic survey for Block 5002 Lot 38 and boundary and topographic survey/easement preparation for Block 5004 Lot 1, 51, and 52 at a cost not to exceed \$15,000.00 as outlined in their proposal dated March 3, 2020; and

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

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

RESOLUTION 20-107 CONTRACT-WATER ALLOCATION PERMIT

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

WHEREAS, there is a need to prepare a minor modification to the Borough's Water Allocation Permit; and

WHEREAS, M2 Associates, Inc. has submitted a proposal dated February 28, 2020 for the services required at a cost not to exceed 8,500; and

WHEREAS, M2 Associates has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-669 adopted on July 11, 2012; and

WHEREAS, the award of the 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-08-683-100 \$ 4,000 and C-06-56-683-400 \$ 4,500;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorizes M2 Associates, Inc. to prepare the application for the minor modification to the Borough's Water Allocation Permit at a cost not to exceed \$ 8,500 as outlined in their proposal dated February 28, 2020; and

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

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

**RESOLUTION 20-108 AUTHORIZE GRANT SUBMITTAL-WELLNESS PROGRAM**

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

WHEREAS, the Municipality is a member of the Bergen Municipal Health Insurance Fund; and

WHEREAS, the Bergen Municipal Health Insurance Fund is establishing an employee wellness program for its member municipalities, known as the Bergen Municipal Health Insurance Fund Employee Wellness Program; and

WHEREAS, the purpose of the employee wellness program is to encourage healthier lifestyle choices for employees, improve employees' knowledge regarding health, and improve the overall health of employees of the member municipalities; and

WHEREAS, the employee wellness program will proceed in Phase II for 2020 and Phase III for 2021 as detailed in the Wellness Program Announcement Letter and Employee Wellness Agreement, appended hereto; and

WHEREAS, the Borough Council supports the purposes of the employee wellness program and seeks to participate in the program to support the good health of its employees; and

WHEREAS, Oakland received a \$10,000 grant from the Bergen Municipal Health Insurance Fund to start their Employee Wellness Program;

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

1. The Municipality is hereby authorized to participate in the Bergen Municipal Health Insurance Fund Employee Wellness Program.
2. The Municipal Administration is hereby authorized to take any necessary actions to facilitate participation in the Employee Wellness Program, including, but not limited to, requiring participating employees to review and execute the Wellness Program Announcement Letter and Employee Wellness Agreement. The Municipality shall take all necessary actions immediately to implement the Employee Wellness Program.
3. Full time employees that waive their health benefits are eligible to participate in the Employee Wellness Program if they choose to.

4. The Borough acknowledges and agrees that Phase II, ending December 31, 2020, will require the Municipality to commit to and provide a point system incentive of \$5 per point for each participating employee. These incentives will be at the sole cost and responsibility of the Municipality.

5. A copy of this Resolution shall be forwarded to the Municipal Clerk of the Municipality

This Resolution shall take effect immediately.

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

#### RESOLUTION 20-109 READOPT LAND USE PLEDGE

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

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland resolve to take the following steps regarding municipal land-use decisions with the intent of making the Borough of Oakland a truly sustainable community. It is the Borough intent to include these principles in the next master plan revision and re-examination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly:

Regional Cooperation – Oakland pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices – Oakland pledges to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. Oakland will reevaluate parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection – Oakland pledges to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, Oakland pledges to complete a Natural Resources Inventory when feasible to identify and assess the extent of natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses – Oakland pledges to use zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for Oakland and the region, particularly in downtown and town center areas.

Housing Options – Oakland pledges, through the use of zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design – Oakland pledges to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting – Oakland pledges, to the extent feasible, to take into consideration factors such as walkability, bikeability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is authorized and directed to maintain a copy of this Resolution in office of the Borough Clerk, for public inspection, pursuant to law.

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

#### RESOLUTION 20-110 READOPT GREEN BUILDING POLICY

Councilman Van Eck did not see supporting policy and wants a better understanding. Mr. Kunze responded that this was originally adopted in 2011 when we sought certification through Sustainable Jersey. He advised there is no regulatory standard to be held to. Councilman Van Eck asked why we are adopting this policy. Mr. Kunze responded this is a statement of policy support that will help us get to the silver level of Sustainable Jersey certification. This action is worth 10 points. Councilman Van Eck asked what the advantage is to the certification. Mr. Kunze responded it helps us get grants. Councilman Van Eck is opposed to regulating business.

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

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council); and



WHEREAS, green building – also referred to as sustainable or high-performance building – is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health and other components of green building and sustainable development; and

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the Borough of Oakland's desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings; and

WHEREAS, the Borough of Oakland desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and upgrades to the municipal building stock, continued procurement practices...etc. (e.g. improve water conservation, reduce light pollution, increase construction waste recycling); and

WHEREAS, the Borough additionally wishes to support green building in the private sector through a combination of voluntary actions (e.g. including a green building scorecard as a discussion item within the Site Plan approval process), actions that may be required in the future although not at the time of the adoption of this resolution (e.g. amending the Site Plan approval checklist to directly incorporate those green building standards available to a municipality), and educational actions (e.g. making available information on green building programs, guidelines, rebates, etc. to residents of the Borough of Oakland).

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby implements a Green Building Policy that will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities and will encourage green design for commercial and residential buildings.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is authorized and directed to maintain a copy of this Resolution in office of the Borough Clerk, for public inspection, pursuant to law.

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

#### RESOLUTION 20-112 AUTHORIZE GRANT APPLICATION ROOTS FOR RIVERS

On motion of Councilman Knapp, 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, and Oakland Shade Tree 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 \$ \$ 2721.90 for a Roots for Rivers Reforestation Grant.

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

#### RESOLUTION 20-113 AUTHORIZE COPS GRANT APPLICATION

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

WHEREAS, the U.S. Department of Justice is offering a COPS Hiring Program grant open to law enforcement agencies; and

WHEREAS, the Borough of Oakland wishes to submit an application for funding;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the submittal of an application to the U.S. Department of Justice for the FY20 COPS Hiring Program grant with a requested amount of \$ 125,000.

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

#### RESOLUTION 20-114 AUTHORIZE REFUND TAX OVERPAYMENT BL.1401, L28

On motion of Councilman Knapp, 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 Core Logic for a refund of taxes due to a payment sent in error; 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>
1401/28	35 Sky Top Ridge	\$ 4,203.54

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #0-01-55-998-002 \$4,203.54.

BE IT FURTHER RESOLVED that the check be sent to CoreLogic Refunds Department, 3001 Hackberry Road, Irving, TX 75063.

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

RESOLUTION 20-115 AUTHORIZE REFUND TAX OVERPAYMENT BL. 1805, L4  
On motion of Councilman Knapp, 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 Tower Capital Management 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>ADDRESS</u>	<u>AMOUNT</u>
1805/4	29 Hillside Avenue	\$ 30.00

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #0-01-55-998-002 \$300.00;

BE IT FURTHER RESOLVED that the check be sent to Tower Capital Management, PO Box 399, Morristown, NJ 07960.

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

RESOLUTION 20-116 AUTHORIZE SEWER INFRASTRUCTURE PROJECT PHASE II FROM CAPITAL IMPROVEMENT FUND  
On motion of Councilman Knapp, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the New Jersey Local Finance Board, by regulation, permits municipalities to fund preliminary surveys, architects' fees, engineering costs, etc. from the Capital Improvement Fund provided that the ultimate project could be funded by a bond ordinance; and

WHEREAS, there is a need to update the Wastewater Management Plan to determine the feasibility and costs associated with making infrastructure improvements to the Sewer Utility;

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

- The Borough hereby establishes in the Sewer Capital Fund an account designated "Reserve for Preliminary Expenses" in the amount of \$35,000.
- That all related services and costs could result in a project that would be bondable pursuant to NJSA 40A:2-1 et. seq., having a useful life of not less than five (5) years.

- Upon completion of the project, any unused funds in said Reserve shall be returned to the Capital Improvement Fund.

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

#### INTRODUCTION: ORDINANCE NO. 20-CODE-805 TABLED

Motion to remove from Table:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the introduction of Ordinance 20-Code-805 be removed from the table.

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

Mr. Chewcaskie advised that this ordinance had been listed for introduction and certain zoning items for discussion at the last meeting. Councilman Van Eck had objected to the absolute ban of short term rentals. Mr. Chewcaskie suggested that this ordinance and the zoning ordinance be put on for work session. He considers the zoning items more important so that can be listed for introduction as well. He suggested the ordinance be retabled and listed for work session.

Motion to Table:

On motion of Councilman Biale, seconded by Councilman Van Eck, the introduction of Ordinance 20-Code-805 be tabled and this item listed for work session at the next Council meeting.

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

#### WORK SESSION:

##### SOLID WASTE BID:

Mr. Kunze wants to discuss this with the Council now because the contract expires at the end of 2020. There is a changing market and towns are seeing cost increases. There is a long lead time when you go out to bid. This was discussed with staff internally in January. We met with our current hauler to see how we can reduce the cost increase. The last contract, we went with 2x per week pick up and went to dual stream recycling. Mr. Kunze wants to talk tonight about the different options to go out to bid. One option is to use one arm bandits. A mechanical arm picks up the garbage and dumps it into the truck. This can save money on labor but we would have to buy the garbage cans. The garbage cans are 96 gallons and are big enough to do once per week pick up. We would have to do something different with bulk waste. We also want to separate yard waste. Mr. Kunze advised that having dual stream recycling pick up every week would double the cost. It also costs more to dispose single stream recycling than garbage.

Mayor Schwager stated there are so many different options. Mr. Kunze explained it is up to the Borough to put in the alternates or options we want to bid on. Mayor Schwager stated that we need a chart with options. Councilman Levy would like the Borough to do its own garbage pick up. Councilman Biale advised that Mahwah tried this and held doing it. It was a \$ 10 million initial impact to buy the truck and for the employees needed. Mr. Kunze responded that Mahwah is going to seek the cost to use the one arm bandit and compare it to the in-house cost. Pompton Lakes does in-house garbage collection. Mr. Kunze advised that when we looked at doing the garbage collection in-house in the past, it didn't make sense. However, the contract cost has changed. Councilman Levy commented that it may be a good negotiating tool. Mr. Kunze responded that we can't negotiate a bid. We either award or reject the bid. Mr. Kunze wants to go out to bid as quickly as possible. Mayor Schwager responded that the Council needs a chart with

all the options. Mr. Kunze advised it will be listed on the next work session agenda. Councilman Knapp questioned the size of the can for the one arm bandit and questioned if it would be feasible with the hills in Oakland. Mr. Kunze responded that our contractor thought it was feasible but he advised there is a 64 gallon can.

#### NEW BUSINESS:

Councilman Van Eck commented that our broadcasting is low quality and is unwatchable. He thinks it would be nice to bring up to industry standards. He explained that Cablevision broadcasts at a lower standard. Mr. Kunze advised that upgrading the television equipment was a capital project that was deferred due to cost. It is going to be included in this year's capital plan for consideration. Councilman Van Eck responded he is talking about the resolution it is being broadcast on. Councilman Levy advised that the fault is with Cablevision because they choose to broadcast us at a low resolution. Communications Commission Chairman Ryan Schwertfeger advised that most tv's are at 1080. Cablevision will only broadcast the local access at 480. The cameras are old. If we upgrade the cameras, the broadcast will look better on Verizon and YouTube but Cablevision will still only broadcast at 480. Councilman Biale commented that if we improve the products, we would have a better product. Mr. Schwertfeger responded that it still won't look better on Cablevision. Councilman Biale asked if anyone has had a conversation with Cablevision. Mr. Schwertfeger stated that Verizon will broadcast at 720 but Cablevision at only 480. Councilman Van Eck stated that if Cablevision would agree, they can send the broadcast at 720. He would like a resolution asking Cablevision to provide the industry standard broadcast. A resolution will be listed on the next meeting.

#### OLD BUSINESS:

Councilman Pignatelli asked for an update on the traffic study. Borough Engineer Yakimik responded that he received the counts from Bergen County last week. They are just traffic counts and we need to communicate with Bergen County and ask for their recommendations for improvements.

Councilman Pignatelli asked about the Route 287 sign warning drivers. Mr. Yakimik responded that he composed and sent a draft letter to Mr. Kunze and Chief Sanzari for comments. He received comments from Mr. Kunze. Mr. Yakimik will send the letter which puts forth arguments on why signage is necessary and ask for a meeting with the DOT in Trenton. Councilman Pignatelli stated that there is a sign on Route 23 in Riverdale which advises trucks to shift to a lower gear.

Councilman Pignatelli asked for an update on the grooves on Skyline Drive. Mr. Yakimik responded that he does not have an update. He spoke to the County and they responded that they need to do something but there was no timetable given. He suggested he would meet with them to discuss this issue and the traffic counts.

Councilman Van Eck asked for an update on signage by Walgreens. Mr. Yakimik advised that the Traffic Officer met with the property owner and they agreed to place a sign directing people to go right to get to 287.

Councilman Biale wants to bring back the discussion on rental of the Senior Center. He advised that Senior Center Director Arielle Preciado should ask the Seniors for their input whether the extra use of the building is worth getting some money for extra trips. He stated that the alcohol use should be taken off the table. Mr. Kunze will be talking with Arielle next week on the topic. Mayor Schwager stated that feedback she has gotten is that we should not rent the building out without someone from the town overseeing.

**COUNCIL REPORTS:**

Councilman Van Eck: The OCC is looking for tv committee and newsletter volunteers. The newsletter committee is looking for ideas for the newsletter and is asking residents to email suggestions. The next meeting of the OCC is May 4<sup>th</sup> at 7:30 pm. Recreation softball signups are ongoing. Football and Cheerleading signups start April 1<sup>st</sup>. The Planning Board meets tomorrow. The Planning Board meetings for the next two months have been moved to the first Thursday.

Councilman Biale: Line dancing will take place March 20<sup>th</sup>. The weekly Monday movie will take place at 1:30 pm. The movie for March 16 is LaLa Land. There will be trivia on March 25<sup>th</sup>. The Casino trip will take place Tuesday March 31<sup>st</sup>. The Senior Center is seeking interest for a Men's poker club and weekly knitting class. Bingo will take place March 19<sup>th</sup>. The Men's club will have a planting and woodcrafting project on March 17<sup>th</sup>. The DPW advised that the 2020 street sweeping program began March 2<sup>nd</sup>. All streets will be done by April for the first of two mandatory times. Rockland Electric installed 80 LED fixtures since 2016. The Borough is asking for suggestions from residents on locations for the 2020 allotment. The DPW is asking residents to report potholes. Due to the mild winter, the DPW is getting an early start on work due to the Water Accountability Act. He thanked Superintendent Anthony Marcucilli and the DPW for all they do.

Councilman Pignatelli: He gave recognition to resident Leigh Lydecker who is a member of the American Legion for 75 years and was a World War II veteran. The BCUA Hazardous Waste Pick up will be held April 5<sup>th</sup> at Bergen Community College and May 9<sup>th</sup> at Campgaw. The Easter egg hunt will be April 4<sup>th</sup> at 9:30 am. The Memorial Day Parade will be May 24<sup>th</sup>. The carnival will be held June 10<sup>th</sup> to 13<sup>th</sup>. Fireworks will be held Friday and there will be no advance ticket sale. Councilman Pignatelli congratulated the Green Team for receiving another Roots for Rivers Grant. Ryan Schwertfeger submitted the plans for the dog park to the Environmental Commission.

Councilman Levy: The Shade Tree Commission is working on revisions to the Shade tree ordinance. There are three or four trees that need emergency take down. The Shade Tree Commission will meet the first Monday of the month. The Flood Commission met last Monday. They discussed Allerman Brook and the CRS Program. They are setting up a meeting with Nick Agnoli to discuss how to continue to get a better rating. The Borough was approved to revise the Wastewater Management Plan to help getting the Skyview Treatment plant offline in order to get relief to those residents.

Councilman Knapp: The Finance Committee met last night and are working on putting the budget together. The budget will be introduced March 25<sup>th</sup>. The CFO was asked to come that night and make a presentation to the residents. There was an OEM meeting last night. They are looking to do the Skyline cleanup and some tabletop drills.

**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, Levy, Pignatelli, Van Eck.

Vic Pedalino, 52 McNamee Street, asked what is happening with the ordinance on boarders. Mr. Chewcaskie responded that he was not at the last meeting. Councilman Van Eck had questions

about the ordinance so it was tabled. Both ordinances are being put back on work session next meeting. Mr. Chewcaskie would also like to introduce the ordinance on boarders.

Jerri Angermueller, 24 Lakeview Terrace, spoke of Sustainable Jersey and the FLOW Film festival. The Historical Society will make a presentation at the Library on March 22<sup>nd</sup>.

**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, Levy, Pignatelli, Van Eck.

**BILLS TO BE PAID:**

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

**MEETING ADJOURNED:**

On motion of Councilman Levy, seconded by Councilman Pignatelli, the meeting be adjourned at 9:04 pm.

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

*Lisa M. Duncan*

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Lisa M. Duncan, Borough Clerk  
April 7, 2020

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Date Approved

*Linda H. Schwager*

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Mayor Linda H. Schwager