

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY MARCH 13, 2019

MOVE TO EXECUTIVE SESSION:

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

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

Discussion ensued over Affordable Housing and personnel matters. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Knapp, 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 7:34 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 Oakland has a very active Green Team. There will be Styrofoam collection April 13<sup>th</sup> in Wyckoff and April 28<sup>th</sup> in Oakland in the Borough Hall parking lot from 11 to 2 pm. There is a crayon and marker recycling program with various drop off sites in town. The OEF will have their Casino Night fundraiser on March 16<sup>th</sup>. On Saturday March 23<sup>rd</sup>, there will be the Promise of Hope program at Indian Hills High School to package food for needy families. The OVFD Ladies Auxiliary will hold a pancake breakfast on Sunday March 24<sup>th</sup>. The Easter Egg Hunt will be held Saturday April 13<sup>th</sup> with a raindate of Sunday April 14<sup>th</sup>. It will be held behind the Library. The FLOW Environmental Commissions and Green Teams will sponsor a film series at the Oakland and Wyckoff public libraries. The Fire Department will hold a cornhole tournament on March 31<sup>st</sup>.

**APPROVAL OF MINUTES: FEBRUARY 27, 2019**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of February 27, 2019 be approved.

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

**APPROVAL OF MINUTES: FEBRUARY 27, 2019 EXECUTIVE**

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council Executive Session of February 27, 2019 be approved.

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

**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.

Klaus Angermueller, 24 Lakeview Terrace, advised he is the acting President of the Oakland Historical Society. He stated that the Historical Society was ignored by the Borough when they brought up maintenance issues or suggestions on renovations. He advised that modern materials

can be used to make emergency repairs as long as it can be reversed. He had previously suggested using putty asphalt shingles to protect the roof and his suggestion was met with protest. Mr. Angermueller feels the Borough's lack of stewardship has destroyed the Stream House. The Borough has an obligation to keep the buildings open to the public. The visit by Councilman Kulmala brought about action to get the roof tarped. After the roof is repaired, additional work needs to be done to the inside of the house. Councilman Pignatelli asked who the Historical Society conveyed their suggestions to. Mr. Angermueller advised he would tell Council people and spoke to the Borough Administrator. Mayor Schwager advised that she is happy Mr. Angermueller came tonight. She wants to meet with the Historical Society to get facts straightened out. She asked Mr. Angermueller to speak with the members and come up with dates. Mr. Angermueller commented that the stewardship for the Van Allen House is the Borough's. The only obligation of the Historical Society is to open the building to the public. Mr. Kunze advised that there is a mold condition in the Van Allen House and we cannot have people in the structure until the mold is addressed. Mayor Schwager reiterated that Mr. Angermueller should speak to the membership of the Historical Society and set a date to meet. Councilman Biale advised that the Borough reached out to an expert who is going to create a report for remediation of the mold.

**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.

**APPOINTMENT: GREAT OAK PARK COMMITTEE**

Mayor Schwager appointed Peter Kikot as an alternate to the Great Oak Park Committee for a one-year term to expire December 31, 2019.

**APPROVE RAFFLE LICENSE RL1352**

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1352 for Oakland-Franklin Lakes Rotary Club to hold an off-premise 50/50 raffle on June 25, 2019 at Portobello Banquets, 155 Ramapo Valley Road.

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

**APPROVE RAFFLE LICENSE RL1353:**

On motion of Councilman Pignatelli, seconded by Councilman Levy, approval be granted for Raffle License RL1353 for Ramapo Bergen Animal Refuge Inc. to hold an off-premise raffle for merchandise on October 20, 2019 at 2 Shelter Lane.

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

**APPROVE RAFFLE LICENSE RL1354:**

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1354 for Oakland Volunteer Fire Department/Association to hold an on-premise raffle for merchandise on March 31, 2019 at 25 Yawpo Avenue.

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

**APPROVE SOCIAL AFFAIRS PERMIT:**

On motion of Councilman Biale, seconded by Councilman Levy, approval be granted for the Social Affairs Permit for the Oakland Volunteer Fire Department to hold a cornhole tournament on March 31, 2019.

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

**RESOLUTION 19-101 AUTHORIZE AGREEMENT-ALTERNATE PUBLIC DEFENDER**

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

WHEREAS, the Mayor and Council had appointed Toni Ann Marabello as Alternate Public Defender for 2019 and she resigned the position; and

WHEREAS, it is necessary for the Borough of Oakland to engage the services of Alternate Public Defender for 2019; and

WHEREAS, funds will be available by way of budget to compensate said Public Defender; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Public Defender and solicited Requests for Qualifications in November 2018; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Jason T. Komninos will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Jason T. Komninos as the Borough's Altnerate Public Defender for the year 2019; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Public Defender be and is hereby appointed for the year 2019; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 2,100 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #9-01-43-495-021; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

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

**RESOLUTION 19-102 APPROVE DONATION OF VEHICLE TO OAKLAND FIRST AID SQUAD**

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

WHEREAS, the Police Department of the Borough of Oakland is in possession of a 2012 Chevrolet Tahoe, VIN# 1GNLC2E07CR247984 identified as Police Department Vehicle No. 106 which is no longer of service to the Department; and

WHEREAS, the Oakland First Aid Squad, Inc. has requested that this Chevrolet Tahoe identified as Police Department Vehicle No. 106 be donated to the Squad for use by its Chief; and

WHEREAS, the Mayor and Council of the Borough of Oakland is of the opinion that the transfer of the vehicle from the Police Department to the First Aid Squad is in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the transfer of the 2012 Chevrolet Tahoe, VIN #1GNLC2E07CR247984, identified as Police Department Vehicle No. 106 from the Oakland Police Department to the Oakland First Aid Squad is hereby approved and the transfer shall take place as soon as possible.

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

**RESOLUTION 19-103 AUTHORIZE RECREATION REFUNDS**

On motion of Councilman Biale, seconded by Councilman Levy, 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 Travel Basketball and Recreation Basketball Fees in the amount of \$ 241.00; 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:

Janis Rocco, 85 Pawnee Ave., Oakland, NJ 07436 refund due \$ 171.00  
Sandra Schaefer, 55 Seton Hall Drive, Oakland, NJ 07436, refund due \$ 70.00

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

**RESOLUTION 19-104 AUTHORIZE TAX REFUND-BL. 2301, LOT 14**

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

WHEREAS, a Tax Court Judgment was entered , in the matter of Thunell/Lekos v. Borough of Oakland, Docket No. 011848-2018, reducing the assessment of Block 2301, Lot 14 to \$ 245,000 for the Tax Year 2018; and

WHEREAS, a refund of the 2018 property taxes is now due in the amount of \$ 1,119.04;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, do hereby authorize a check be issued to Lawrence B. Diener, attorney for Thunell/Lekos, 25 Main Street, Suite 202, Hackensack, NJ 07601

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

**RESOLUTION 19-105 AMEND RESOLUTION 19-75 REFUND TAXES BL.802, L 25**

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

WHEREAS, the Mayor and Council recently adopted Resolution 19-75 authorizing a refund of taxes due to an overpayment; and

WHEREAS, the amount to be refunded on Resolution 19-75 was incorrect; and

WHEREAS, the Mayor and Council wish to correct this error and indicate the correct amount to be refunded;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, hereby authorizes the corrected amount of refund due:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
802/25	Khaitov, Sergey & Alla	\$ 5,130.12

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

**RESOLUTION 19-106 AMEND RESOLUTION 19-94 AMENDMENT TO DEVELOPER'S AGREEMENT**

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

WHEREAS, the Mayor and Council adopted a resolution authorizing the execution of an Amendment to the Developer's Agreement with respect to the development by Bill Smith, Jr.; and

WHEREAS, the resolution contained the incorrect block and lot designation of Block 3311, Lot 2.02; and

WHEREAS, the Mayor and Council wishes to correct this error and indicate the correct block and lot designation of Block 3703, Lot 89; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the block and lot designation of Block 3311, Lot 2.02 is hereby corrected to Block 3703, Lot 89.

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.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Oakland Building Department; Ben R. Cascio, attorney for Developer; Boswell Engineering, Borough Engineer and Brian M. Chewcaskie, Borough Attorney.

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

RESOLUTION 19-107 AUTHORIZE RETURN OF ESCROW-HOOBAN, BL. 4905, LOT 6  
On motion of Councilman Biale, seconded by Councilman Levy, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, Thomas A. & Mary Hooban have requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$148.00 remains in Escrow Account #T-26-00-004-407;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$148.00 to Thomas A. & Mary Hooban, 6 Dartmouth Way, Oakland, NJ 07436.

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

RESOLUTION 19-108 APPOINT TEMPORARY FIRE SUBCODE OFFICIAL  
On motion of Councilman Biale, seconded by Councilman Levy, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the current Fire Subcode Official is on a medical leave of absence and the Borough needs to appoint a temporary Fire Subcode Official; and

WHEREAS, Construction Official Dan Hagberg has recommended Tom Dillon to fill the temporary position;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the hire of Tom Dillon as temporary Fire Subcode Official at an annualized stipend of \$ 5,500 effective March 4, 2019.

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

#### RESOLUTION 19-109 APPOINT TEMPORARY CCO INSPECTOR

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

WHEREAS, the current CCO Inspector is on a medical leave of absence and the Borough needs to appoint a temporary CCO Inspector; and

WHEREAS, Construction Official Dan Hagberg has recommended Robert Westdyke to fill the temporary position;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the hire of Robert Westdyke as temporary CCO Inspector at an annualized stipend of \$ 12,000 effective March 11, 2019.

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

#### RESOLUTION 19-110 CANCEL CAPITAL BALANCE

On motion of Councilman Biale, seconded by Councilman Levy, 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 Improvement <u>Number</u>	<u>Description</u>	Unexpended  <u>Authorization Balance to Cancel</u>
07-561	Various Public Improvements	\$ <u>35,000.00</u>
Total – General Capital		\$ 35,000.00

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

#### RESOLUTION 19-111 TEMPORARY BUDGET AMENDMENT



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

WHEREAS, an emergency condition has arisen with respect to the need to make payments for operating expenses prior to the adoption of the budget, and no adequate provision has been made in the 2019 temporary budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, 26.25% of the total appropriations in the 2018 Current Fund budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance is \$4,515,902.98; and

WHEREAS, the total emergency appropriation adopted in the year pursuant to N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 amended) including this resolution total \$3,982,923.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

	<u>Capital Expenditures</u>
Capital Improvement Fund – Capital Outlay	\$35,000

2. That said emergency appropriation will be provided for in full in the 2019 operating budget.
3. That three (3) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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

#### FINAL PUBLIC HEARING: ORDINANCE NO. 19-CODE-780 AMEND SALARY ORDINANCE

The Clerk was directed to take from the table Ordinance No.19-Code-780 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled “AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPHS 1, 15, AND 16 OF ORDINANCE NO-18-CODE-766 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

#### OPENED FOR PUBLIC DISCUSSION:

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

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

**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.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Revising, Amending And Reenacting Paragraphs 1, 15, And 16 Of Ordinance No-18-Code-766 Titled "The Code Of The Borough Of Oakland, County Of Bergen, State Of New Jersey, Entitled "Salaries Of Municipal Employees", 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:****BOROUGH CALENDAR:**

Michael Carelli, Assistant to the Administrator, presented the idea of a Borough calendar for 2020 that would be mailed to all residents. It would be funded through local business advertisers. The calendar would offer all Borough information. Mr. Carelli thinks the residents would appreciate having all Borough information in one place. He would like to get the blessing of the Mayor and Council to move forward with this project since it does take quite a bit of time to prepare.

Councilman Pignatelli asked how much of Mr. Carelli's time would be taken up with this calendar. Mr. Carelli responded the calendar is not a daily task. It is a matter of designing the calendar and meeting with department heads to gather information. Mayor Schwager suggested a summer intern could help. Mr. Carelli advised that the OCC offered to help. Mr. Kunze explained that we have wanted to improve communications with the public. This is one element but this project has a long lead time. Councilman Kulmala advised that this project was presented to the OCC and the OCC is in support of moving forward because it enhances communication. Councilman Biale asked how much time is needed for printing. Mr. Carelli responded that it would take three weeks to print and bring to the Post Office for mailing. Councilman Talamini asked if we are going to include the garbage & recycling newsletter that is sent out by DPW to try to save some money. Mr. Carelli responded that Pompton Lakes has a recycling insert in their calendar and we can incorporate that as well. The Mayor and Council were in favor of moving forward.

**AMEND FEE ORDINANCE:**

Mr. Kunze explained that work on the Recreation budget revealed the need for a fee modification for the tackle and flag football programs. The tackle football fee would increase by \$ 60 and the flag football fee would increase by \$ 8. As pointed out in the explanatory memo from Neil Malmud, our fees would still be less than what is charged by Franklin Lakes or Wyckoff.

Councilman Kulmala advised that the last fee increase for football was in 2016. The ordinance will be introduced at the next meeting.

#### DESIGNATION OF RAMAPO RIVER AS C-1 WATERWAY:

Councilman Levy had attended a stakeholder meeting at the DEP. They are redesignating waterways to C-1 including the Ramapo River. This reduced the ability to do anything within 300 feet of the bank of the waterway. For the most part, you cannot construct within the riparian zone of the C-1 waterway. Councilman Kulmala asked if that means residents near the river would not be able to do construction. Councilman Levy responded that currently they have to follow the floodplain management program. Councilman Pignatelli asked if this will affect a lot of residents. Councilman Kulmala asked if it will affect property values in the area. Councilman Levy doesn't think so because those houses are in the floodway. There is a hearing on April 8<sup>th</sup> in Trenton. Councilman Pignatelli asked if we should notify residents.

Mr. Chewcaskie explained that the public hearing is April 8<sup>th</sup>. The public comment period is 60 days from March 4<sup>th</sup> when the notice came out. It does not encompass all of Oakland. There is already some environmental impact. This may have an impact on the sewer treatment plants because of where it drains to. Mayor Schwager asked if we can put this information in the newsletter. Councilman Kulmala explained it is a timely issue and this should be put on Facebook. Mr. Kunze responded that we can put information on the website as well as Facebook.

Councilman Biale asked if residents would need to apply to do modifications to their homes. Borough Engineer John Yakimik responded that it depends. The DEP has mechanisms for homeowners to do small items of work in riparian zones. There are specific things homeowners can do with limitation. The floodway and floodplain have a different set of criteria to follow. Councilman Kulmala asked if people would have to put special septic in if their septic fails. Mr. Yakimik responded that the purpose of the C-1 designation is that the water feeds the public drinking supply. That is the reason for the 300 foot buffer. Mr. Yakimik would venture to say that a failing septic would need to be repaired.

Councilman Knapp asked if anyone is going to contact the State about the drains on 287 that leak motor oil in the river. Councilman Levy responded that the DEP tested the water quality of the river a month ago. Councilman Knapp advised that there are numerous incidents of tractor trailers leaking into the stormwater drains which go into the river. Maybe this will stop if there is the new designation. Councilman Kulmala asked if this will have an impact on the Borough's stormwater management program. Mr. Yakimik responded it would not because it would be grandfathered in. Mr. Kunze asked if the stormwater requirements take C-1 waterways into account with the designation. Mr. Yakimik explained that it has to do with the creation of impervious surfaces within the 300 foot buffer which may directly affect the Borough.

#### NEW BUSINESS:

Mayor Schwager advised that the Roosevelt homes are going to be demolished. Notices will be sent out to residents and a reverse 911 will be done advising of the dates.

Mayor Schwager advised that the League of Municipalities is offering a scholarship for high school seniors. Oakland received four applications. Mr. Kunze and Mr. Carelli will read the applications and choose one to send to the League of Municipalities for consideration.

#### OLD BUSINESS:

Councilman Levy advised that the Borough is working with the DEP and Assemblywoman Shepisi to try to get the DOT to fix the damage from the drainage system from 287. We are trying to get money to make the repairs.

#### COUNCIL REPORTS:

Councilman Knapp: The Municipal Alliance meeting was rescheduled. The lawn at Great Oak Park should be started at the end of March and should be seeded by early April. Plants purchased from the Roots for Rivers grant should arrive by May.

Councilman Levy: He was unable to attend the Shade Tree Commission meeting. The Flood Commission met Monday. Their next meeting will be the second Monday of April at Borough Hall. The Shade Tree Commission will meet the first Monday of the April at Borough Hall. The Planning Board is starting to look at redoing the Master Plan in order to start updating the downtown. Councilman Levy spoke to the Community of Commerce for input on the downtown.

Mayor Schwager advised that the Borough is working on sewers coming to the downtown.

Councilman Pignatelli: The Environmental Commission got a \$ 4,000 Roots for Rivers grant and will plant tree seedlings by the river. Peter Kikot did an extensive review of the plantings for the dog park. The Environmental Commission would like guidance on rules because when a new member is appointed, they don't know what rules to follow. Mr. Kunze explained that in the past, we have focused on working with the Chairperson to discuss their responsibilities. Councilman Pignatelli advised that the Board of Health will meet next week. The Household Hazardous Waste collection will be held in Mahwah on May 11, July 20 and September 14<sup>th</sup>.

Councilman Levy advised that with a C-1 waterway designation, dumping in the river is a more serious offense.

Councilman Biale: The Senior programs are continuing at the Library. Bingo will be held on March 21<sup>st</sup> at 1 pm and there will be a presentation by Pro Staff Physical Therapy. The spring trip to Resorts will be April 4<sup>th</sup>. Bergen County is offering free tax preparation help for Seniors by appointment. You must call the Senior Center in Midland Park to register. The Senior Center is looking for volunteers for the new Shovel for Seniors program. The Senior Center is going to maintain an email list to disseminate information. The DPW reported that the street sweeping program will begin March 18<sup>th</sup> weather permitting. On March 25<sup>th</sup>, there will be water main leak detection and stormwater inspection on all streets that are scheduled to be resurfaced. The DPW has filled 313 potholes since the last meeting. The DEP hired Weston Solutions to take water samples from various sections of town. They are using drilling apparatus. The Borough received a \$ 3,000 grant from the BCUA for the Recycling Enhancement Grant Program. The DPW repaired a water main break last night on Jerome Avenue.

Councilman Kulmala: The OCC is looking for volunteers for the Commission and the TV committee. If content is submitted to be shown on public access, it must be on a DVD. The next OCC meeting is May 6<sup>th</sup> at 7:30 pm. The Water and Sewer Committee will meet on March 15<sup>th</sup> at Borough Hall.

Councilman Talamini: The Finance Committee is going over the budget. Mr. Kunze advised that there will be a budget hearing on Saturday March 23<sup>rd</sup> at 8:00 am. The proposed introduction of the budget is March 27<sup>th</sup> and Recreation will be presenting their budget on March 27<sup>th</sup> as well. We may need a follow up meeting. Councilman Talamini was not able to attend the Public

Events meeting. The Easter Egg Hunt is scheduled for Saturday April 13<sup>th</sup> at 9:30 am. There will be a bounce house, train and food. The raindate is Sunday April 14<sup>th</sup>.

**OPENED FOR PUBLIC DISCUSSION:**

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

(see following pages)

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

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

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the meeting be adjourned at 8:52 pm.

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

*Lisa M. Duncan*

*Linda H. Schwager*

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Lisa M. Duncan, Borough Clerk  
March 27, 2019

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Mayor Linda H. Schwager

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Date Approved